DATE DUE

~~JAN 30 1993~~			
~~ill 2298455~~			
~~NAM 1-13~~-03			
~~ill 9500476~~			
~~NAM 11-4-03~~			
~~SEP 08 2006~~			
~~June 5, 2009~~			

Demco, Inc. 38-293

DEMCO

Digitized by the Internet Archive
in 2025

https://archive.org/details/bwb_S0-DNG-690

ST. JOSEPH'S UNIVERSITY STX
F161.D34 v.4
Papers of the Historical Society of Dela
3 9353 00113 2255
161
D34
V.4

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE

LVI

F161
D34
V.4

The Journal and Order Book

of

Captain Robert Kirkwood

of the

Delaware Regiment of the Continental Line

93379

PART I

"A Journal of the Southern Campaign"
1780-1782

PART II

"An Order Book of the Campaign in New Jersey, 1777"

"The brave, meritorious, unrewarded Kirkwood"

EDITED BY
REV. JOSEPH BROWN TURNER

THE HISTORICAL SOCIETY OF DELAWARE
WILMINGTON
1910

1910
Press of the Delawarean
Dover, Del.

FOREWORD

"Render, therefore, to all their dues;
Honour to whom honour is due."

So far as Robert Kirkwood is concerned neither the State of Delaware nor the Historical Society of Delaware has obeyed this injunction. One of the most intrepid and fearless men Delaware has produced has received little notice and scanty praise. The MSS. volumes containing his "Journal" and his "Order Book" have been allowed to accumulate dust on a shelf of the library of the Historical Society for thirty-four years. In justice to a brave son of the State they are now published, with the following letter containing his ancestry:

Bloomington, Indiana, July 14, 1876.

Dr. Lewis P. Bush:

Dear Sir—

When I saw you in Newark a few weeks since you requested me to furnish you a statement of any facts in my possession in regard to the ancestry and early history of Captain Robert Kirkwood. With this request I cheerfully comply, although at this distance of time perhaps little new can be given on the subject.

The family from which Captain Kirkwood was descended removed from Scotland to the vicinity of Derry in the north of

Ireland in the latter part of the seventeenth century. In 1731 the captain's father, Robert Kirkwood, then a youth of perhaps 18 or 20 years of age, emigrated to this country in company with the widow and two infant children of an elder brother, William, then recently deceased. Robert Kirkwood, some years after his arrival in Delaware, married a Miss Sarah McDowell, a native of England and a member of the religious society of Friends. They lived on a farm about two miles north of Newark—a farm recently owned by Andrew Gray, Esq., and adjacent to the lot on which the White Clay Creek Presbyterian church now stands. They had nine children, eight of whom were daughters. Robert, the only son, was born in 1756. Of his childhood nothing is now known but the fact of his early manifesting a fondness for reading and study—a fact which decided his father to educate him for the ministry. He was accordingly placed in the Newark Academy where he pursued his classical studies with great diligence and success. On the commencement of the revolutionary war, however, the young student at once abandoned his literary pursuits and promptly espoused the cause of his country.

You informed me in conversation that the manuscripts of Captain Kirkwood had been deposited in the library of the Delaware Historical Society by his grandson, Gen. R. K. Whitely. It is therefore unnecessary that I should attempt any account of his public services. You are probably aware also that an interesting biographical sketch of Captain K., by P. Benson Delany, M.D., may be found in Graham's Magazine for March, 1846.

Of the family that came over from Ireland with Robert Kirkwood the descendants are now very numerous. The widow, Mrs. Sarah Kirkwood, some time after their arrival in Delaware, married a Mr. Gallagher, then a member, I think, of

White Clay Creek church. Her son, Robert Kirkwood, who died in Harford county, Maryland, in 1810, was my grandfather.

With pleasant recollections of my former residence in Delaware, I remain, dear sir,

Yours very truly,

DANIEL KIRKWOOD.

To the above it may be added that Capt. Kirkwood married Sarah, a daughter of Joseph England, Jr., of White Clay Creek hundred, who was, as his mother had been, a member of the Society of Friends. His father was for many years a Ruling Elder in the White Clay Creek Presbyterian Church. At the very beginning of the Revolution Robert Kirkwood, Jr., was commissioned, January 17, 1776, First Lieutenant of Capt. Darby's Company, Colonel Hazlet's Regiment. He received his commission as Captain, December 1, 1776, and was transferred to Colonel Hall's regiment as second Ranking Captain, and served to the end of the war as Senior Captain in command of the Delaware Battalion. He was brevetted Major, Sept. 30, 1783. The State of Virginia alone recognized and rewarded his services. In 1787 he received from Virginia a grant of 2000 acres of land in the North West Territory, in what is now Southeastern Ohio. His land was probably in Belmont Co., whither he removed soon after the grant was made. He was a Justice of the Peace in "the North West Territory" in 1790, and a carefully written copy of the laws promulgated by Gen. Arthur St. Clair is found in the back of his journal, together with some interesting items from his docket. On the 4th of March, 1791, Kirkwood was commissioned Captain in the Second Regiment U S. Infantry, and

marched under General St. Clair in his unfortunate expedition against the Indians. In the battle near Fort Recovery,—his thirty-third engagement,—he refused to retreat with the defeated army, and died with his face to the foe on the 4th of November, 1791, at the age of forty-five.

Captain Kirkwood left two children:

1. A son, Joseph Kirkwood, who removed with his father to the Ohio Territory. His children as late as 1875 were still in possession of the lands granted to their grandfather in 1787.

2. A daughter, Mary, who married Arthur Whitely, of Dorchester Co., Md., and was the mother of General R. H. K. Whitely, by whom the Historical Society was made custodian of these valuable MSS.

JOSEPH BROWN TURNER.

Dover, Delaware,

December 6, 1910.

Part I

JOURNAL

of the

Marches of the Delaware Regiment

of the

Continental Line

in the

Southern Campaign
1780-1782

Kept by

Captain Robert Kirkwood

Journal of Marches from Morristown, East Jersey, Southerly

When	Year 1780	Miles
April		
13th.	I left Morristown four days before the Maryland and Delaware Line, and arrived at Newark, in the Delaware State	120
	From thence went to Lewes town, and returned back to Newark	260
May		
8th.	Set sail from the Head of Elk, in Compy with 50 sail of vessels, being the Second brigade in the Maryland Line, Destin'd for Petersburgh, Virginia, at which Port the vessel I was in arrived the 23 Inst	350
30th.	Decamped from Petersburgh, and marched to Rockaway Court House	15
31st.	Marched to Jones's Bridge, and Encamped	17
June		
1st.	Marched to Commissarys Lambs, Brunswick County	15
2nd.	Marched to Short's Ordinary	16
3rd.	Marched to Stony Creek	18
4th.	Marched to Roanoke which we crossed at Taylor's Ferry and lay upon its Bank, (this river is about 350 miles long)	8
6th.	Marched into Granvill County, North Carolina	18
7th.	Marched this day to Genl. Parsons	10
		847

When	Year 1780	Miles
June		847
21st.	Marched from Genl. Parsons, and encamped on the South Side of Flat River	20
22nd.	Marched this Day to Hilsborough	15
30th.	Marched and crossed Haw River	15
July		
1st.	Marched and lay in the woods	6
2nd.	This day marched to Chatham Courthouse	18
5th.	Marched this day to Deep River which we crossed	14
18th.	Marched to Wilcoxes Iron Works	12
19th.	Marched to Hollinsworth's Farm on Deep River	18
25th.	This Day the Honble. Majr. Genl. Gates arrived and took Command of all the Southern Troops.	
27.	Marched this day to Spinks Farm Randolph County, No. Carolina	18
28.	Marched this day to Cottons Farm	18
29.	Marched to Smiths Mill, on little River	18
Augst.		
1st.	Marched to the River Pee Dee and crossed at Masseys Ferry, incamped on Ingram Farm, Hanson County	10
2nd.	Marched this Day to Mays Mill	18
3rd.	Marched to Thompsons Creek. The line at this place divides North & South Carolina	18
4th.	Marched this day near Hendersons Cross roads	17
6th.	Marched and encamped in the pines, received Information that the Enemy was advancing	5
8th.	Marched to Big Linches Creek	16
10th.	Marched and encamped in the Pines	7
11th.	Marched to Little Linches Creek to gain the Enemys right	16
		1114

When	Year 1780	Miles
Augst.		1114
12th.	Marched this Day and lay on our arms all Night....	6
13.	Marched to Ridgleys Mill.....	16
15.	Marched this Night at 10 OClock.....	6
16.	About one in the morning met with the British Army at Black Swamp and Drove in their Advance Guards we then Halted and formed the line of battle the 2nd Brigd. on the Right the first in the Center, and the Militia on the left, and Lay on our arms untill Break of Day when the British advanced and attacked our Left Flank where the Militia Lay, who gave way which gave the enemy's horse an opportunity to gain our Rear, their Infantry at the same time gaining our Flank, and their Line advancing in our front which Caused the Action to become very Desparate; which continued for the space of half an hour. In this Action Lt. Col. Vaughan, Major Patten, six officers and Seventy Rank and file of our Regt. were taken Prisoners, with all the Cannon and Baggage of the Army—I can give no account of our Marches on the Retreat untill we came to Sallisbury which we arrived at on the 21st.....	123
24th.	Marched and crossed the Yadkin River.....	7
	From thence we marched to Guilford Courthouse.....	50
	And from thence to Hilsborough.....	45
Octb.		
7.	This Day three Companies of Light Infantry were Chosen, one under the Command of Capt. Bruen from Virginia, Second by Capt. Kirkwood, & the third by Capt. Brooks the Whole Under the Command of Col. Morgan.	
		1367

When	Year 1780	Miles
Octbr		1367
8.	Began our march from Hilsborough under Command of Col. Morgan, and arrived at Salsbury the 15th Inst.	95
18th.	Marched this Day to Col. Locks Farm.....	5
19th.	Marched to Fifers Mills.....	15
21st.	Marched about two below Esq., Alexander's.....	23
22nd.	Marched to Six mile run there joined the No. Carolina Militia under Command of Genl. Davidson.....	16
25th.	Moved our Encampment in Front of the Militia this Neighbourhood is Called New Providence and within 14 Miles of Charlotte. While we Lay at this place Col Morgan Received his Commission of Brigadier Genl. From Congress.	
Nov.		
4.	This Day Genl Morgan's Infantry with Col. Washingtons Horse, marched Down to Ridgely's Mill, within 13 miles of Cambden; reconoitre the Enemy.	
9th.	Returned again to camp.....	100
22nd.	This Day the Maryland Division arrived at Camp.	
27.	This Day the troops under Command of Genl. Gates Marched to Charlotte, where they built Hutts.....	
28th.	This Day had orders to hold our selves in readiness in a moments warning to March. Accordingly left our tents standing with all our sick behind and marched to twelve mile Creek, which at this place Divides No & So. Carolina; & from thence to the Hanging Rock, the Infantry remained at this place untill Col. Washington went down to Col. Ridgely's, and with the Deception of a pine knot took the garrisons	
		1621

When	Year 1780 & 1	Miles
		1621
	Consisting of one Col. one Majr. and 107 privates:—	
	from thence returned to Camp, December the second	100
Decmbr.		
6th.	This Day Maj. Genl. Green took command of the Southern Army in room of Maj. Genl. Gates.	
17th.	March'd to Charlotte	13
21st.	March'd to Biggon Ferry on Catawba River	15
22nd.	Crossed the Ferry and March'd	5
23rd.	March'd	16
24th.	March'd	13
25th.	March'd to Pacolet	8
1781.		
Jan. 1st.		
11th.	March'd	10
16th.	March'd to the Cowpens	12
17th.	Defeated Tarlton.	
18th.	March'd for the Catawba River and arrived the 23rd.	100
Febr.		
1st.	March'd to Col. Locke	30
2nd.	Marched and crossed the Yadkin River	12
4th.	March'd this Night	13
5th.	March'd this Day	16
6th.	March'd to Guilford	18
8th.	March'd this Night	5
14th.	Crossed the Dan River at Ewings Ferry	80
15th.	March'd and crossed the Banisster River	7
17th.	March'd and Recrossed	6
20th.	Crossed the Dan River	9
21st.	Marched	5
22nd.	Marched to Dobbins	12
23	March'd	12
24	March'd	12
25	March'd to Hilsborough and Returned; in all	21
March		
4th.	We came up with the Enemy at the Allamance	60
		2233

When	Year 1781	Miles
March		2233
5th.	Marched this Night to the old Regulation ground and attack'd the advanc'd picquet. Brought off one of their Centinells & returned to Camp by morning...	24
6th.	This Day we arrived near the South Branch of Haw River	36
7th.	This Day the Enemy made a movement and were within a mile of our Camp before they were Discovered. We Crossed the South branch of Haw River Leaving a Party of militia on the other Side to oppose the Enemy; A brisk fire Shortly commenced in which the militia were obliged to give way.	
	Marched this Day.....	21
8th.	Marched this Day to Troublesome Creek.....	12
9th.	Marched this Day & encamped on the Ground where the British Lay, having crossed Troublesome & Haw River	10
10th.	This Day my Company & one from Virginia were ordered to remain with Col. Washington to Act as a Legion. The rest of the Infantry joined their respective Regiments, marched.....	7
11th.	Marched this Day towards Guilford Courthouse.....	5
12th.	Col. Lee's Light Horse took 30 prisoners and brought them to the Gen'l on our march.....	5
13th.	Marched this Day.....	7
14th.	Marched within 3 miles West of G. Court house.....	8
15th.	This day commenced the Action at Guilford Court House between Genls. Green & Cornwallis, in which many were Killed & wounded on both sides, Genl. Green Drew off his Army with the loss of his artillery.	
	Marched this Day.....	16
		2360

When.	Year 1781	Miles
March		2360
16th.	Marched to James Saunders Farm, near to the Iron works where our Army Lay, on Troublesome Creek	3
19th.	Marched to Simmons's Farm	6
20th.	Marched this Day about	7
21st.	Marched towards Deep River	21
22nd.	Marched near the Little Allamance River	5
23rd.	Marched	4
24th.	Do	7
25th.	This Day was Executed by hanging a Certain Solomon Slocum being a Spy from the Enemy Likewise a Deserter from the 2nd. M. Regt.	
	Marched	17
26th.	Marched to Brooks Farm, near Wilcoxs Iron works	10
27th.	Marched this Day	10
28th.	Marched and Crossed Deep River at Ramseys Mill, on the bridge the British made for themselves. This Day we expected a Genl. Action to have commenced but his Lordship thought it most prudent to decline it, by a speedy march to Cross Creek	14
29th.	Marched	3
30th.	Marched towards the Gulph Mill on Deep River	4
31st.	Marched this Day	14
April		
1st.	Marched	3
3rd.	Marched up the River	9
7th.	Marched towards the Buffaloe Ford and encamped on Brush Creek	18
8th.	Marched to Spinks Farm	16
9th.	Marched to Cottons Farm	15
		2546

When.	Year 1781	Miles
April		2546
10th.	Marched & Crossed Little River about 2 miles.....	20
11th.	This day Crossed the River Pee Dee at Colston's Ferry	15
13th.	This day Crossed Rocky River.....	3
14th.	Marched Near Mays Saw Mill.....	18
15	Marched this day about.....	2
16	This Day marched near Andersons Cross Roads.....	17
17th.	Marched to Big Lynches Creek.....	16
18th.	Marched to Little Lynches Creek.....	12
19	Marched within 4 miles of Camden, took Eleven of the Enemy prisoners	15
	This evening Genl. Green gave me orders if possible to take possession of Logtown, which was in full view of Camden & if I could take it, to mentain it untill further orders, Leaving Camp about 8 at night, arrived before the town between 9 & 10 and about 12 OClock got full possession of the place, A scattering firing was kept up all night, And at sun rise next morning, had a smart schirmage, Beat in the Enemy, About two hours afterwards had the Very agreeable Sight of the advance of the Army.....	3
20th.	This day Col. Washington with my Infantry went Westerly round Camden, Burnt a House in one of the Enemys Redoubts on the Wateree River; took 40 horses & 50 Head of cattle & returned to Camp	4
		2671

When	Year 1781	Miles
April		2671
22nd.	Moved Southerly Round the town	10
23rd.	Marched back to our old ground	6
25th.	The enemy sallyed out and drove us back	7
27th.	Marched to Ridgley's Mill	10
29th.	Marched this Night	6
30th.	Moved our Encampment	1
May		
1st.	This day there was five Desserters Hanged that was taken in the Action of the 25th of April.	
3rd.	Marched and crossed the Wateree	11
4th.	March'd to the Ferry and took the Redoubt, and burn'd the Block House on the South side of the Wateree, then Return'd to the Army at the 25 mile Creek	16
7th.	Marched this day	9
8th.	The Enemy moved over the River and was within two miles of us before we knew of them being out when our Vadet Came in and inform'd us. We then Drew up in order of battle and lay their in Sight of other untill Evening when both Armys Drew off and we marched	4
10th.	At Night was sent out with a party of the Horse to Surprise a party of Tories and Marched 18 miles, but not Coming up with, we altered our Rout and March'd for Camden hearing that it was Evacuated, and Reached there the next Day being in all	29
12th.	March'd to Mr. Randels Mill	12
13th.	March'd to Mr. Westons	18
15th.	March'd this day	18
16th.	March'd this day	6
18th.	Marched and Crossed the Broad River	15
		2849

When	Year 1781	Miles
May		2849
19th.	This day was executed three Deserters from our Army, who were taken at Fort Granby near Fridays Ferry, on the Congree. Marched.....	25
20th.	Marched this Day.....	17
21st.	Was ordered with Col. Washington's Horse to Surprise a party of tories under command of Col. Young; Coming up to the place found it evacuated, the Horse left me, with expectation to Come up with them, while I moved on at Leisure. The Tories taking us for some of them selves come out of a Swamp in our Rear, & being undeceived took one of my men prisoners; upon which A firing Commenced, but they being on horse back pushed off with the Loss of one man Killed & one Horse taken, A Short time Afterwards the Horse joined me, and before Dark killed 4 more taking 6 Prisoners; Marched this Day....	23
22nd.	This Day Crossed the River Saluda. Surprised a party of Tories within sight of Ninety Six, Killed four, Spent the Day in reconoitering the Garrisson, which was commanded by Col. Cruger. Marched.....	9
	At Night were employed in raising a three Gun Battery, about 130 yards from their works and under a Scatering Fire from the Enemy all night.	
		2923

When	Year 1781	Miles
May		2923
24	This Day opened our first Battery on the Enemys Star Redoubt.	
26th.	Received express from Col. Lee that he had taken two redoubts at Augusta in Georgia; making 70 of them prisoners & Killed about 40; taking a Quantity of stores, Rum etc.	
June		
5th.	This Day Augusta was Captured by Col. Lee making all the Garrison prisoners of war consisting of 165 British & the like Number of Tories, the whole being under the Command of Col. Brown.	
18th.	This Day the Garrison of 96 was attacked on two Quarters Viz:—the Star Redoubt by the main army, and Homes's by Col. Lee's Infantry, with mine, with the assistance of three 6 pounders Commanded by Col. Harrison. Our Redoubt held out about an hour, then left it in our full possession; the other being so verry strong, & the officers who commanded in their Ditch being wounded with the greatest part of the men Killed and wounded, were obliged to give over the attempt.	
20th.	Raised the siege from Ninety Six; Lord Rodden being within 25 miles of us, with 2000 men this Day Marched towards Charlotte.....	14
		2937

When	Year 1781	Miles
June		2937
25th.	Marched this Day	8
22nd.	Marched this Day	16
23rd.	Marched this Night and Crossed the Innoree River	15
24th.	Marched this Day Crossed the Tiger and Broad River	21
25th.	Recrossed the Broad River and Marched	6
26th.	Marched this Day to the Tiger River	7
28th.	Marched and Crossed the Inoree River	12
29th.	Marched this Day	9
30th.	Marched this Day	20
July		
1st.	Marched this Day	6
2nd.	Marched this Day and Cross'd the Broad River	17
3rd.	Marched this Day and encamped at Capt. Howells	16
4th.	Marched this Day	9
5th.	Marched this Day and Cross'd the Congree at Mc. Cord's Ferry	32
6th.	Marched this Day down the Santee River	13
7th.	Marched this day and Cross'd the Congaree and was ordered back towards Orangebourgh	25
8th.	Marched this Day and encamped at Doughey's Farm	25
9th.	Marched this Day to Col. Middleton	10
10th.	Marched this day and join'd the Army at Beaver Creek	7
11th.	Marched this day towards Orangebourgh	10
12th.	Marched to the Enemys Lines, and within 4 miles of Orangeburgh sent out parties to draw them out; but all to no purpose, Col. Cruger being within one days march of Lord Rodden, Genl. Green thought it prudent to withdraw his army, and march towards McCords Ferry	15
13th.	Marched this day near Brown's Mill	11
14th.	This day Crossed the Congaree River at McCords Ferry & encamped on Mr. Simmons Farm 7 miles from ye River	20
		3268

When	Year 1781	Miles
July		3268
23rd.	Marched with Col. Washington's Cavelry to the Fork of Wateree & Congaree Rivers encamped on Mr. Dawson's Farm (very sickly place)	8
27th.	Marched to McCords Ferry on ye Congaree	1
29th.	Marched to Mr. Lightwood's Farm, up ye Congaree	6
Augst.		
3rd.	This day the Enemy's Horse took possession of McCord's Ferry with one Large Boat and Negro, on the News of which our Horse, and foot, marched down to the Ferry, and remained there untill Evening; and marched back to the ground we left in the morning	12
4th.	Marched crossed the Wateree, encamped on Lambert's Farm	13
6th.	Marched and encamped on Mr. Yore's Farm	4
7th.	Marched and encamped on Capt. Ritcheson's Farm	8
24th.	Marched this morning towards Camden up the river	20
25.	Marched this day to Camden	18
26th.	Crossed the Wateree River passed the Army and Halted at Colonel's Creek	18
27th.	This Day arrived at Capt. Howells on ye Congaree	18
28.	This day joined Col. Washington's Horse	5
	At Mr. Culpepers on ye Bank of the River; about Evening were informed the Enemy this morning left Col. Thompson's on their way towards Charles Town.	
31st.	Marched to Howell's Ferry on the River where the Army had crossed. This Day the Genl. received information the Enemy had marched from the Center Swamp on their rout for Town, which Occasioned the Horse and my Infantry to return to the place we left in the morning	12
		3411

When	Year 1781	Miles
Sept.		3411
4th.	Crossed the Congree River at Culpeper's Ferry, and Encamped on Mr. Johnstown's Farm.....	15
5th.	Marched and Encamped with the main Army at Everett's Creek 6 miles Below Col. Thompson's.....	14
6th.	Marched to Midway Swamp.....	6
7th.	Marched this Day within seven miles of the Eutaw Springs, where Lay Col. Stewart with the British Army Consisting of 2,000 men.....	20
8th.	This morning our Army was in motion before Daybreak, with a determination of Fighting the British Army.	
	We marched in the following order of Battle Viz. The South & North Carolina Militia in front, Commanded by Genls. Marion & Pickens, having Col. Lees horse, & Infantry on their right Flank, and the State Horse, and mounted Infantry on their left. The Second line was Composed of North Carolina regulars, Virginians, & Marylanders, having two three Pounders, between the N. Carolinians, & Virginians, and two six Pounders, between the Virginians & Marylanders. Col. Washington's Horse, with my Infantry were the Corps De Reserve In this order we marched Down to Action, Coming within 3 miles of the Enemy's	
		3466

When	Year 1781	Miles
Sept.		3466
8th.	Encampment, we overtook a Rooting Party of 60 men Coming in with Potatoes, most of whom were either Killed, wounded or taken. We met with no further opposition, untill we arrived within one mile of their Encampment, where we met their front line, which soon brought the Action general, we Drove their first, and Second Lines, took upwards of 500 prisoners. The Enemy took shelter in a large Brick House, and a hollowway in rear of the House. At this time our men were so far spent for want of water, and our Continental Officers suffering much in the Action, rendered it advisable to Genl. Green to Draw off his Army, with the Loss of two 6 pounders, Majr. Edmund of the Virginians, with a Small party of men joined me in the British Encampment, keeping up the fire for A small space of time. Found our Army had withdrawn from the Field, made it necessary for us Likewise to withdrawn. We brought off one of the Enemys three Pounders, which with much difficulty was performed through a thick wood for near four miles, without the assistance of but one Horse, We got to the Encamping Ground which we left in the morning about two in the evening.....	14
		3480

Return of Killed, Wounded & Missing in the Action of the 8th. Sept'r. at the Eutaw Springs.

Continental	Lt. Col.	Majr.	Capts.	Lieuts.	Serjts.	R&file
Killed	1		6	4	4	94
Wounded	2		7	19	24	202
Missing					1	31
Total	3		13	23	29	327
South Carolina State Troops						
Killed		1		2	4	6
Wounded	2		4	4	7	26
Missing						
Total	2	1	4	6	11	32
South Carolina Militia						
Killed						2
Wounded			1	2		24
Total			1	2		26
N. C. Militia						
Killed						6
Wounded						31
Missing						8
						45
Total in the Army	5	1	18	31	40	430

	430
	40
	31
	18
	1
	5
Total	525

When	Year 1781	Miles
Sept.		3480
10th.	Received information that the Enemy had left the Eutaw Springs the Evening before, on the Road to Monks Corner, the Genl. persued them to Mr. Martins, within 12 miles of the Corner.....	20
12th.	Return'd as far back as Whistleing George's.....	6
13th.	Marched to the Widow Floods, on ye Santee River..	14
14th.	Marched with the Army to the road leading to Lawrence's Ferry on the Santee, and Separated from them; they being bound for the High hills of Santee, and we for the Congaree Encamped on Mr. Caldwells Farm at the half way Swamp.....	19
15th.	Marched up the Congaree to Mr. Kelly's Farm.....	20
16th.	Marched to Mr. Patrick's Farm.....	13
17th.	Crossed the Congaree at Mr. Patricks & marched up to Mr. Culpepers and from thence to Col. Gooden's Farm	10
19th.	Marched this morning a little after sun rise joined Col. Washingtons Horse, & Encamped one mile below them on Mr. Pierce's Farm.....	11
27th.	Went to Head Quarters (on the High Hills of Santee) for Docts. Medecine for my men.	
	And returned the 30th, Inst.....	40
Octbr.		
5th.	Took the Ague and fever.	
6th.	Marched to Mr. Simmons Farm on the Wateree.....	10
9th.	By invitation from Mr. Danl. Huger, went in Compy with Lnt. Vaughen to his house.....	6
		3649

When	Year 1781	Miles
Octbr.		3649
27th.	Received Intilligence of the Surrender of Lord Cornwallaces whole Army to this Excellency Genl. Washington In York Town Virginia on the 17th Inst.	
Novembr.		
5th.	Left Mr. Huger's and returned to Camp at Simons's Farm	6
6th.	This morning began our march for Col. Goodens Mill on the Congaree river, Halted on Mr. Pierce's Farm	12
7th.	Marched this Day to New Market	8
8th.	Marched this Day to Col. Goodens Mill	8
18th.	Marched for Head Quarters which was at the High Hills of Santee, got this night to Mr. Danl. Hugier's	130
19th.	Crossed Wateree river arrived at Head Quarters	10
20th.	Drew Cloathing for my men, and returned back to Mr. Hugier's	10
21st.	Returned to Col. Gooden's Mill	30
22nd.	This day was ordered to March by the way of Howell's Ferry to Col. Thompsons and there to join the Army, the troops moved, But I went to Capt. Howells having the Ague & Fever where I staid untill the 27th, Inst. being better, I set out for Col. Thompson's	
27th.	where I arrived this Night	30
28th.	Marched with the Army to Brown's Mill	10
29th.	Marched this day to Orangeburgh	16
Dec.		
1st.	Marched this day to Youngs Farm	14
3rd.	Marched this day to 4 hole bridge on 4 hole Creek	26
		3859

When	Year 1781 & 2	Miles
Dec.		3859
13th.	This Day arrived (at the 4 hole Bridge to relieve me) Capt. Moore of the S. Carolina State troops with 60 rank & file.	
14th.	Marched this day to Mr. Rumps	8
15th.	Marched this day to Fergussons Saw Mills on the River Edisto	2
16th.	This day we arrived at Camp at Round O	10
18th.	This day I received orders to mount in Company with the Virginians near Stono, on Edisto river, and to be under the Command of Col. Lawrence. Accordingly crossed Edisto river at Parker's Ferry 14 miles from the Round O, and encamped three miles on the South side on Capt. Sanders Farm	17
20th.	March about two miles below Sandy Hill and encamped on Mr. Fergusson's Land	6
1782. Jany.		
1st.	I went this day up to Head Quarters and got Liberty to retire to the Delaware State on Furlough	23
2 & 3rd.	Returned again to Camp which was moved to Spring Garden	25
4th.	This day began my march for the Delaware and got to the round O	25
6th.	Left the round O and two hours before day arrived at Orangeburgh	50
7th.	Crossed the Congree River & staid all night at Mrs. Weston's	33
8th.	This day got to Mr. Randle's Mill	18
9th.	Lay at Camden this Evening	9
10th.	Lay within 6 miles of the Hanging Rock	20
11th.	Lay this Night at Majr. Crawfords in the Waxaws	30
12th.	Lay this Night at Mr. Robt. Phillips's within 2 miles of Charlotte	30
13th.	Got to Hezekiah Alexanders, Esqr	4
14th.	Staid at Mr. Pattens near Fifers	18
16.	Arrived at Salsbury	22
		4219

When	Year 1782	Miles
January		4219
17th.	Left Salsbury & on the 19th Inst. Arrived at Guilford Court house	54
	From thence went to the Revd. Mr. Caldwell's and	3
	from thence to Mr. Robt. Rankin's and from thence	3
	to Mr. Alexander Gray's	8
Febry.		
26th.	Arrived at Mr. Robt. Gray's 12 miles N. E. of Hillsborough	45
March		
3rd.	Returned to Mr. Alexander Gray's in Company with two of Mr. Robt. Gray's Daughters—And returned the third of March	90
4th.	I had the very agreeable sight of Lt. Anderson and Ens. Platt at my Quarters.	
11th.	Left Mr. Gray's in Compy with Capt. Jaquett, Lts. Campbell, Anderson, Ens. Platt, and Doctr. Hartley (from South Carolina) remained all night at Genl. Parson's—Granville County	20
12th.	Lay this night at Robt. Gillispes	29
13th.	The next morning Crossed the Roanoke Stoped at Mr. Deloanes, who is termed a Col. in that County, & no doubt thinks himself a Gentleman, but shall leave the readers to Judge whether or not, When they are informed by this that after Genl. Sinclier had remained at his House one night, the next morning had to pay three guineas, after being invited there.	
		4401

When	Year 1782	Miles
		4401
	In a few Weeks afterwards Col. O. H. Williams called at the same house, but could not get Quarters. And some days afterwards I called there not knowing his Character, shared the same fate with those before me, and indeed he turned my waggon off the Plantation without my knowledge, I requested only the floor to lay on which was refused me, & rather than Quarrel with one of the first rank in the famous State of Virginia, chose to Lay in the Woods. Marched this day	25
March		
14th.	Marched this day to Commissary Lambs.....	30
15th.	Marched this day to Denwidie Court house.....	25
16th.	Marched to Petersburgh and Stayed at Mrs. Spencers	18
17th.	Capt. Jaquett, Doctr. Hartley, and the Waggon went round by land.	
	Lts. Campbell, Anderson, & Platt with myself went on Board a Vessel at the Broad Way, Bound to the Head of Elk.	
18th.	Weighed Anchor about one OClock & on the 25th put into Pianketanck, which is 210 miles from Petersburgh	210
	And in this place our Vessel was taken by a small Vessel from New York called "Hook-in-Sneevy."	
		4709

When	Year 1782	Miles
		4709
	We made our escape by a small Boat and marched to Capt. Lockleys Ferry on Rapahanock River, Virginia	15
27th.	March'd to Notingham Court House at this place there was a Genl. Field Day of Muster, here we got a Boat destined for the Head of Elk Comm'd. by Capt. Brewer, went on board in Coan River, landed this morning at the Mouth of Sd. River. Lodged all night at Mr. Crawley's	16
28th.	Made sail at Night with a fair wind got near Petuxen River but by a head wind were beat back into Coan River Sailed this Night	30
April 1st.	Being Easter Monday set out on foot for Yocommico River Crossed over the Potowmack in Mr. Mithaney's Boat Landed at pine point marched about 3 miles Lodged at the Revd. Mr. Sebastian's	22
2nd.	This day Crossed Petuxen River at Junifers Ferry Lodged at Mr. M. Summervills	25
3rd.	March'd this Day to Mr. Smiths in Annarundle County Maryland	20
4th.	This Day Crossed the South River at Browns Ferry Quartered at Mr. Middleton's in Annapolis	25
5th.	Crossed the Severn River at the Town Quartered at Mr. Poes D. Q. M. Genl	30
7th.	Took a passage on board the Pacquett Commanded by Capt. Simpson & arrived at Newark about 8 OClock in the Evening	90
	Total of Marches From the 13th of April 1780 untill the 7th of April 1782	4982
	Omitted one nights march to the old regulating ground	24
		5006

COPIES

No. 1.

Summons to Majr Lgenl Lincoln, 10th April, 1780, with his Answer of the Same Date.

Sir Henry Clinton, K. B, General and Commander in Chief of his Majesties forces, in the Colonies, laying on the Atlantic, from Nova Scotia, etc., etc., etc., and Vice Admiral Arbuthnot, Commander in Chief of his Majestys Ships in North America etc., etc., etc., Regretting the effusion of blood, and the Distress which must now Commence, deem it Consonant to Humanity to warn the Town and Garrison of Charles Town of the Havock & Desolation with which they are threatened from the formidable force surrounding by Land & Sea.

An Alterative is offered at this Hour to the Inhabitants of saving their lives & Property (Contained in the Town) or of abiding by the fatal Consequences of a Cannonade and storm. Should the place in a fatal Security, or its Commander in a Wanton Indifference to the fate of its inhabitants delay the Surrender; or should Publick Stores or Shiping be Destroyed, the resentment of an exasperated Soldery may intervene, but the mild & Compasionate Terms never be renewed.

The respective Commanders who hereby summons the town, do not apprehend so rash a part as that further resistance will be taken; but rather that the gates will be opened, and themselves received with a degree of Confidence which will forbode farther Reconciliation.

No. 2.

Head Quarters, Charlestown, April 10th, 1780.

Gentlemen

I have received your Summons of this Date—Sixty days have passed since it has been known that your intentions Against

this Town were Hostile, in which, time has been afforded to abandon it, but duty and inclination point to the propriety of Supporting it to the last extremety.

I have the Honour
to be Your Excellencys
Humble Sert.
(Signed) B. LINCOLN

Major General Lincoln, to Sir Henry Clinton, K. B, Proposing Articles of Capitulation, with Sir Henry Clinton's Answer, And the Articles of Capitulation.

No. 3.

Charlestown, April 21st., 1780.

Sir

I am willing to enter into the Consideration of terms of Capitulation—if such can be obtained as are Honourable for the Army, & Safe for the Inhabitants. I have to propose A Cessation of Hostilities for six hours, for the purpose of digesting such Articles,

I have the Honour to be
Your Excellencies obt. Sert.
(Signed) B. LINCOLN

His Excellency Sir H. Clinton.

No. 4.

CAMP BEFORE CHARLESTOWN, April 21st., 1780.

Sir

Admiral Arbuthnot who Commands the fleet, should have been addressed jointly with me on this Occation. As I wish

to Communicate with him, and as I give my consent to a Cessation of Hostilities, for six hours; I desire an Aid de Camp may pass to the ships with a letter & my request that the Battery on James Island may desist firing.

I have the Honour to be etc.,

(Signed) H. CLINTON.

Majr Genl Lincoln.

No. 5.

Articles of Capitulation proposed by Major General Lincoln.

Art. 1st. That all acts of Hostilities & works shall cease between the Naval & land forces of Great Britain and America, in this State, Until the Articles of Capitulation shall be agreed on, Signed & executed, or Collectively Rejected.

Art. 2nd. That the town, Forts, & Fortifications Belonging to them shall be surrendered to the Commander in Chief of the British Forces, Such as they now Stand.

Art. 3. That the several troops garrisoning the town & Forts, including the French & American Sailors, the French Invalids, the North Carolina & South Carolina Militia, & such of the Charles Town Militia as may choose to have this place, shall have thirty six hours to withdraw to Lampriers, after the Capitulation has been accepted & Signed on both sides and that those troops shall retire with the usual Honours of War & Carry off during that time their Arms, Field Artillery, Amunition, Baggage, & such of their stores as they may be able to Transport.

Art. 4. That after the expiration of the thirty six hours mentioned in the preceeding Article, the British Troops before the Town shall take possession of it, And those at Wappetau shall proceed to Fort Moultrie.

Art. 5. That the American Army thus collected at Lamprier's shall have ten days from the expiration of the thirty six hours before mentioned, to march whereever Genl Lincoln shall think proper to the Eastward of Cooper River, without any movement being made by the British troops, or part of them out of town, on Fort Moultrie.

Art. 6. That the sick and wounded of the American, & French Hospitals, with their Medecines, Stores, the Surgeons, and Director Genl shall remain in the Town, and be supplied with the necessaries requisite, untill provisions can be made for their removal, which will be as speedily as possible.

Art. 7. That no soldier shall be encouraged to Desert, or permitted to enlist on either side.

Art. 8. That the French Consul, his House, papers and other moveable property, shall be protected untouched, and a proper time granted him for retiring to any place that may afterwards be agreed upon between him and the Commander in Chief of the British Forces.

Art. 9. That the Continental Ships of War, Providence, Boston & Ranger, now in this Harbour, with the French ship of War the Adventure, shall have liberty to proceed to Sea, with the necessary stores on board and go unmolested, the three former to Philadelphia and the latter to Cape Fran-Cois, with the French Invalids mentioned in Art. 3.

Art. 10. The Citizens shall be protected in their Persons, & Properties.

Art. 11. That twelve months be allowed such as do not choose to continue under the British Government, to dispose of their effects, real and Personal in the State, without any molestation whatever; or to remove such part thereof as they choose, as well as themselves & Famelies, and during that time,

they or any of them may have it at their option to reside occationally in Town or Country.

Art. 12. That the same protection to their Persons, and Properties, and the same time for the removal of their effects, be given to the Subjects of France and Spain Residing amongst us, as are required for the Citizens in the preceeding Articles.

Dated at Charlestown 21 April 1780

(Signed) B. LINCOLN

No. 6.

Sir Henery Clinton and Vice Admiral Arbuthnot to Major General Lincoln.

CAMP BEFORE CHARLESTOWN April 21st, 1780.

Sir

We have in answer to your third Article (for we cannot proceed further) to refer you to our former offer, as terms which although you cannot claim, we yet Consent to grant.

These however must be accepted immediately, and responsible Hostages of the rank of Field Officers must be sent us as Securities that the Custom of War on these Occations are strictly adhered to; that no person of the Garrison or Inhabitant be permitted to go out, nothing to be removed or destroyed, & no ship or Vessel pass from the Town.

All dependent posts are to be included in the Surrender, and the Hostages to be answerable for these as for the Town.

Your answer is expected at 10 OClock, at which hour Hostilities will Commence again, unless our Offers are Closed with.

(Signed) H. CLINTON

M. T. ARBUTHNOT

No. 7.

CAMP BEFORE CHARLES TOWN, May 8th, 1780.

Sir

Circumstanced as I now am with respect to the place invested, Humanity only can induce me to lay within your reach the terms I had determined should not again be pre-offered.

The fall of Fort Sullivan, the Destruction (on the 6th. Inst,) of what remained of your Cavelry, the Critical period to which our approaches against the Town have brought us, mark this as the term of your hopes of Succour, (Could you ever have framed any) and as an hour, beyond which, Resistance is temerity.

By this last Summons therefore I throw to your Charge whatever vindictive Severity, exasperated Soldiers may inflict on the Unhappy People, whom you devote by persevering in a fruitless Defence.

I shall expect your answer untill Eight OClock, When Hostilities will Commence again, Unless the Town be surrendred, etc, etc.,

(Signed) H. CLINTON

Major General Lincoln

No. 8.

CHARLES TOWN May 8th 1780.

Sir

Your letter to me of this date is now under consideration there are so many different Interests to be Consulted, that I have to propose that Hostilities do not again Commence till twelve.

(Signed) B. LINCOLN

His Excallency Sr. H. Clinton.

No. 9.

May 8th 1780.

Sir

As more time has been expended in Consulting the different Interests than I supposed there would be, I have to request that the truce may be continued untill Four OClock.

(Signed) B. LINCOLN.

His Excellency Sr. H. Clinton.

No. 10.

May 8th 1780.

Sir

I consent that Hostilities shall not again Commence before the Hour of twelve as you desire.

I have the Honour to be

Sir

(Signed) H. CLINTON

Major General Lincoln.

No. 11.

Articles of Capitulation proposed by Major General Lincoln.

Art. 1st. That all acts of Hostilities and Work shall cease between the Besiegers & Besieged, Untill the Articles of Capitulation shall be agreed on, Signed, & executed, or collectively rejected.

Art. 2nd. The Town & fortifications shall be Surrendred to the Commander in Chief of the British Forces, such as they now Stand.

Art. 3. The Continental troops & Sailors, with their Baggage shall be conducted to a place to be agreed on, where they

will remain Prisoners of War, Untill exchanged.—While Prisoners, they shall be supplied with good & wholesome provisions, in such Quantity as is served out to the troops of his Britanic Majesty.

Art. 4th. The Militia now in Garrison shall be permitted to return to their respective homes, and be secured in their Persons & Property.

Art. 5th. The sick & wounded shall be continued under the care of their own Surgeons, and be supplied with Medicines, and such necessaries as are allowed to the British Hospitals.

Art. 6th. The officers of the Army & Navy shall keep their Horses, swords, Pistols & Baggage, which shall not be searched, and retain their Servants.

Art. 7th. The Garrisons shall at an hour appointed, march out with Shouldred arms, Drums beating, and Colours flying, to a place agreed on, where they will pile their Arms.

Art. 8th. That the French Consul, his House, Papers, and other moveable property, shall be protected & untouched, and a proper time granted to him for retiring to any place that may afterwards be agreed on between him & the Commander in Chief of the British Forces.

Art. 9th. That the Citizens shall be protected in their Persons & Properties.

Art. 10th. That a twelve months time be allowed all such as do not choose to continue under the British Government; to dispose of their effects, real & personal in the State, without any molestation whatever, or to remove such part thereof as they Choose, as well as themselves & families; and that during that time, they, or any of them, may have it at their option to reside occationaly in Town or Country.

Art. 11th. That the same protection to their persons & Properties, & the same time for the removal of their effects, be given to the subjects of France & Spain, as are required for the Citizens in the preceeding articles.

Art. 12th. That a Vessel be permitted to go to Philadelphia with the Genls despatches, which are not to be opened:

(Signed) B. LINCOLN

Charlestown May 8th 1780.

No. 12.

May 8th 1780

Sir

As I wish to Communicate with the Admiral upon the subject of your last letter, I have to desire that an Aid-de-Camp may be permitted to pass to the Fleet for that purpose.

I have the Honour to be etc., etc.,

(Signed) H. CLINTON

Maj Genl Lincoln.

No. 13.

May 8th 1780

Sir

In order to give the Articles of Capitulation which you have proposed a due consideration, I propose that the Cessation of Hostilities shall Continue untill tomorrow morning at Eight OClock, and that in the mean time every thing shall Continue in its present Situation, if you accede to this, you will please to give me immediate Information of it.

I am

Sir etc.,

(Signed) H. CLINTON

Maj Genl Lincoln.

No. 14.

May 8th 1780

Sir

I accede to your proposal, that Hostilities shall cease untill tomorrow morning, Eight OClock, and that in the mean time all works shall continue in their present State.

(Signed) B. Lincoln.

His Excellency Sir H. Clinton.

No. 15.

May 8th 8 OClock P. M.

Sir

Your answer to my letter proposing the Continuation of the truce untill to morning at Eight OClock, only accedes to the Cessation of Hostilities, & that in the mean time all works shall Continue in their present State; but my proposition was that untill that time everything should Continue in its present Situation; & my meaning was, that there should be an attempt made to remove any of the troops, or destroy any of the Ships, Stores or other Effects whatever, now in the Town or Harbour.

If your idea is the Same, I must request you will express your Self more explicitly.

I am

Sir etc.,

(Signed) H. Clinton

No. 16.

May 8th 1780

Sir

In Agreeing that the truce should be Continued untill Eight OClock tomorrow morning, & all works remain as they were,

I meant to accede to your proposal that everything should Continue in its present Situation, which I again assent to.

(Signed) B. LINCOLN

His Excellency Sir H. Clinton

No. 17.

Articles of Capitulation, as proposed By Major General Lincoln, and Answered by their Excellencies General Sir Henery Clinton, K. B. And Vice Admiral Arbuthnot.

Art. 1st. All acts of Hostilities and work shall cease untill the Articles of Capitulation are finally agreed to or rejected.

Art. 2nd. The Town & Fortifications, with the Shipping at the Wharves, Artillery and all Public Stores whatsoever, shall be surrendered in their present State to the Commanders of the investing Forces. Proper Officers shall attend from the respective Departments to receive them.

Art. 3rd. Granted.

Art. 4th. The militia now in Garrison shall be permitted to return to their respective homes, as Prisoners upon Parole; which Parole, so long as they observe it, shall secure them from being molested in their Property by the British Troops.

Art. 5th. Granted.

Art. 6th. Granted; except with respect to their Horses, which will not be allowed to go out of town, but may be disposed of by a Person left from each Corps for that purpose.

Art. 7th. The whole Garrison shall at an hour to be appointed, march out of the Town to the ground Between the Works of the place & the Canal, where they will deposit their arms. The Drums are not to beat A British march, or Colours to be uncased.

Art. 8th. Agreed; with this restriction, that he is to consider himself as a prisoner on Parole.

Art. 9th. All Civil Officers, & the Citizens who have Borne Arms during the Siege, must be Prisoners on Parole; and with respect to their property in the City, shall have the same terms as are granted to the militia. And all other persons now in the Town, not described in this, or other Article, are notwithstanding understood to be Prisoners on Parole.

Art. 10th. The Discussion of this Article, of Course, cannot possibly be entered into at present.

Art. 11th. The Subjects of France & Spain shall have the same terms as are granted to the French Consul.

Art. 12th. Granted; and a proper Vessel with a flag will be provided for that purpose.

All Public papers & records must be carefully preserved, & faithfully delivered, to such persons as shall be appointed to receive them.

(Signed) H. Clinton
M. T. Arbuthnot

Camp before Charlestown
May 9th 1780.

No. 18.

May 9th 1780.

Sir

In reply to your Answers on the Articles of Capitulation, I must remark that in their present State they are inadmissable, and have to propose that these now sent may be acceded to.

If any further explaination should be necessary, I have to purpose also, that two or three Gentlemen be appointed to meet & Confer on the subject.

I have the Honour to be etc.,

(Signed) B. LINCOLN.

His Excellency Sr. H. Clinton.

Alterations of Articles of Capitulation, proposed by Major Genl Lincoln.

Art. 2nd. The Town & Fortifications, with the Shipping at the Wharves, (excepting those which are private property) and all public stores, shall be surrendered in their present State to the Commander in Chief of the British Forces.

Art. 4th. The militia now in Garrison, shall be permitted to return to their respective Homes, with their Baggage, Unmolested, & not be considered as Prisoners of War.

Art. 6th. Such of the Officers as may be unwilling to dispose of their Horses, may keep them.

Art. 7th. This article to stand as at first proposed, the Drums not Beating A British march.

Art. 8th. The French Consul never having borne Arms, and acting in a Civil Capacity is not to be Considered as a prisoner of War.

Art. 9th. The Citizens & all other persons, now in Town, who are Inhabitants of this State, shall be secured in their persons & properties, both in Town and Country, and not be considered Prisoners of War.

Art. 10th. This Article to Stand as at first proposed. The persons who may Claim the previledge therein expressed, giving their Parole that they will not act against the British Government untill they are exchanged.

Art. 11. This Article to Stand as at first proposed, with the same restrictions as are mentioned in Art. 10th.

In order to prevent disputes, it is to be understood, that all officers of the Continental Army, who are Citizens of this State, be entitled to all the Benefits of Citizens with regard to the security of their Property.

All publick records now in Town, will be delivered to such persons as may be appointed to receive them.

(Signed) B. LINCOLN.

Done at Charlestown May 9th 1780.

No. 19.

May 9th 1780

Sir

No other motives but those of Forbearance and Compassion induced us to renew offers of Terms you certainly had no Claim to.

The alterations you propose are all Utterly inadmissable. Hostilities will in Consequence Commence Afresh at Eight OClock.

(Signed) H. CLINTON
M. T. ARBUTHNOT

Majr Genl Lincoln.

No. 20.

Charlestown May 11th 1780.

Sir

The same motives of humanity, which inclined you to propose Articles of Capitulation to this Garrison, Induced me to offer those I had the honour of Sending you on the 8th Inst. They then appeared to me such as I might proffer, And you receive with honour to both parties your exceptions to them, as

they principally concerned the militia and Citizens, I then conceived were such as Could not be concerned with; but a recent application from those People, Wherein they express a Willingness to Comply with them, and a wish on my part to lessen as much as may be, the Distresses of war to Individuals. lead me now to offer you my acceptance of them.

I have the Honour to be Sir etc.,

(Signed) B. LINCOLN.

No. 21.

CAMP BEFORE CHARLESTOWN May 10th 1780.

Sir

When you rejected the favourable terms which were dictated by an earnest desire to Prevent the effusion of Blood, and interposed Articles that were wholly unadmissable, both the Admiral and my Self were of opinion that the Surrender of the Town at Discretion was the only Condition that should be afterwards attended to; but as the motives which then Induced them, are still prevalent, I now Inform you that the terms then offered will still be granted.

A copy of the Articles shall be sent for your Ratification as soon as they Can be prepared, and immediately after they are exchanged, a Detachment of Granadiers will be sent to take possession of the Horn Work apposite your main gate, every arrangement which may Conduce to good order in Occupying the Town, shall be settled before noon tomorrow, and at that time your Garrison shall march out.

I have the honour to be Sir

Your most obt. & Humbl. Sert.

(Signed) H. CLINTON

Majr Genl Lincoln.

Part II

A BOOK OF GENERAL ORDERS FOR THE YEAR 1777

Kept by

Captain Robert Kirkwood

"Capt. Robt. Kirkwood's Book of General Orders for the year 1777 with a Journal of Marches performed by the Delaware Regt for sd year, in the last part of the Book."

(March 1st 1777)

Proceedings of a Reigmental Court Martial held at Hel' Co. this 1st day of March 1777 (for the trying of a certain James Pemberton charged with stealing a piece of check linnen) whereof Capt. Enoch Anderson is President.

Lt. Parvis } Members { Ens. Hyat, Ens. Jordan

All members being present.

Court adjourned untill 2 OClock P. M. all members present,

The Prisoner being called the question being put guilty or not guilty (Prisoner) pleads not guilty.

Evidence—James Moones, being called & sworn, sayeth gt. Prisoner had a piece of check, which he endeavoured to conceal under his coat, but Mr. Jordan ordered him to come back the road he was going which was towards Wilmington he moving it from the fore part to the back part of his coat he the sd Moones, saw the check; and told him to hide it under the snow, for he would be detected with it.

The Prisoner being asked if the above oath were true or not he replyed that he had nothing with him that he was affraid of being detected with, & being asked again if he had the check, sd. he had none but an old check shirt

Evidence—Hugh Coffel, being sworn sayeth gt. he the sd. Pemberton had a quantity of check which appeared to be new with fringes or thrumbs on it, as is common from the loom.

Evidence—Cornelius Grimes being sworn sayeth that the prisoner told him he took a check shirt with him to Wilmington. From circumstances which appear after ye evidence being called & duly examined the court are of opinion that James Pemberton is guilty of the charge laid against him, and do sentence him to receive thirty nine lashes on his bare back well laid on with the cat o nine tails; & also to make restitution for the linen. The commanding officer approves of the sentence, & orders the punishment to be put in execution this evening.

Head Quarters, Princeton March 27th 1777

Genl Orders

The General is very sorry there should be so much foundation for the frequent complaints of the sodery, respecting their pay and cloathing, he is very sensible of these difficulties and promises them everything in his power to have them speedily redressed.

The officers of the different Corps, are for this purpose immedietely to make out their pay rolls & returns for the necessaries, and despatch them by proper persons, who will procure them without delay.

March 28th 1777

Genl Orders

The detachments from the 3rd 4th & 10th Pennsylvania Batt. are to form one Corps and be under the immediet Command of Major Larmer, the Adj't or one appointed for that duty to give in the returns of the Whole. Morning Reports are to be punctually given in at 10 OClock

29th March 1777

Genl Orders

All the Carpenters belonging to the Different Corps are to parade at Head Quarters at eight OClock to morrow morning. Additional wages will be given to good workmen.

Publick worship will be performed by the Revd. Dr. Witherspoon tomorrow at the Meetinghouse, all the Troops are to attend precisely at 11 OClock. The officers to see the men parade exactly at that time, in neat & proper order and be examplary in their attendance.

Head Quarters Princeton 30th March 1777

Genl Orders

All the Troops in Camp to Parade to morrow morning at guard Mounting. James Robinson, & Matt. Jones, under sentence of Death for Desertion are to be Executed to morrow between the hours of 10 & 11 OClock Major Larmer's Detachment from ye 3rd, 8th & 9th Virgr. Regt. & Capt. Scheirs Independant Company to hold themselves in readiness to march immediately after Execution tomorrow.

Princeton March 30th 1777

The Court met according to Orders, Proceeds

Col. Shreeves		President
Capt. Lowery	Members	Cap. Dillen
do. Christy		do. MClellan
do. Anderson		Lt. Vananglin
Lt. Helms		do. Lane
do. Appelton		do. MBride
do. Conn		do. Rhea

Geo. Hofman Judge Advocate *Pro Tempore* Nicholas Luke a Soldier Brought Before the Court Martial For Desertion,

The Prisoner pleads guilty

The Court Considering him, Sentence him to Receive 50 Lashes, on his bare back well laid on wt ye Cat o' nine Tails.

Isaac Pain Soldier, brought before the Court for Desertion, Prisoner pleads not guilty

Evidence—Lt. Reynolds The Court finds the prisoner guilty And do Sentence him to Receive 15 Lashes & to be Discharged from the Service.

William Watson Brought before the Court for mutiny & Drawing his Bayonet on Lt. Bowman the Court Sentence him to receive 400 Lashes

(March 30th 1777)

Moses Joab a Soldier Brought before the Court for taking of a waggon and Horses the Prisoner pleads guilty. And Sentence him to Receive 100 Lashes & have 3 Dollars stop't out of his Wages to be paid to the waggoner.

James Bartley a Soldier Brought before the Court for Stealing and Selling a Shirt, the Prisoner pleads not guilty. The Court finds him guilty. And do Sentence him to Receive 100 Lashes.

Hopewell Jewell Brought before the Court for Stealing and imbezeling a Continental Mare, the Court finds him guilty, and do Sentence him to Receive 100 Lashes; s'd Jewell is to Receive 25 pr. Day untill he has got the 100 Lashes. Should the Mare be brought before Monday night he then Receives the whole at once.

Jno Bryan A Soldier on Suspicion of Desertion James Murphy for persuaiding Jno Bryan to Enlist with Ens. Carpenter knowing that he Before was Inlisted. the Court Sentence Bryan to Receive 100 Lashes & Murphy to Receive 50 Lashes.

Samuel M Murry brought before the Court for getting Drunk & Stealing 1 pair Shoes. No Evidence appears for Stealing is therefore Sentenc'd to Receive 15 Lashes for getting Drunk.

Andrew McCoy A Suttler brought before the Court for fraud & Extortion, the Court finds him guilty & Sentence him to Receive 100 Lashes & be drummed out of the Camp & never permitted to Sell any more.

The Above Sentence has been approv'd of by the Genl.

Apl 9th 1777

The Officers of the Differrent detachment are to Attend at Mr. Days Quarters Adjst to the 2nd Virgi. Regt for orders and Details at 2 OClock Presisely.

Apl 10th 1777

1 C, 1 L, 2 S, 2 C, 25 P of the 11th Regt with three days Provisions to parade at head Quarters to morrow morning at 6 OClock.

Apl 15th 1777

1 C, 1 L, 2 S, 2 C, 30 P of the Delaware Detachment with three Days Provisions to march to the Enemys Lines Tomorrow morning & Relieve Capt. Hines now on Scout.

Genl orders from Morriston Apl 25 1777 Colns and Commanding Officers of Corps must Cause their Reigmental pay Masters to make up their Pay abstracts to the first of this month, & order them to attend at the Paymaster Generals for the Money.

Proper attention to genl orders of this nature Issued the 21st Last month would not only have moved the Complaint of the Soldiers for want of their pay to frequently made to the Commander in Chief, but would have saved them much trouble in Settling their Account for money drawn uppon Acct. and the most punctual obedience must be paid to this order no Execuse for delay will Admitted.

They are also to make Returns of the medicins and Instruments in their Possession to the Director General at Head Quarters on Monday next.

The Adjut Genl will transmit you Copies of this to gentn Concerned.

Apl 26 1777

A Court of Enquiry to Set Tomorrow at 9 OClock at Major Taylors Quarters.

Major Taylor to Preside.

	Members	
Light Horse	1 C	0 L
Col. Antl	1 C	1 L
9th V. Reigt	0 C	0 L
D. B.	0 C	1 L

Apl 30th 1777

Procedings of A Court Martial held at princeton

Members present

C. Anderson, Lt. Wilds, Lt. Purvis } members { Lt. Wyat, Ens. Campbell

Saml McMurry A Soldier brought before the Court for getting Drunk & neglect of Duty.

Prisoner being Called pleads guilty The Court after Considering the nature of the offence & bad tendency of Drunkenness Sentence him to Receive 50 Lashes on his bare back.

Head Quarters Princeton May 4th 1777

The Following orders Came from his Ecellency this Morning and is to be Perticularly Observed By the Officers in this Division of the Army.

Every Corps must put their Arms in the best firing order and compleatly furnished With Amunition the Commanding Officers will see this done, as they will Answer for the Least neglect of this Important duty.

The Qr M. Genl to Furnish them with tents and proper Convenniencies to Carry them, that they may be Ready to move with the Troops at Shortest notice.

The Genl Laments the necessity he is Laid under of Repeating his orders by which the Officers were forbid to Ride About the Country This Absenting themselves from their Duty—if any Sudden Call for Offensive or Defensive measures Should be made during their Absence, they assuredly will be Brought to Severe Acct.

The Major Genrls will Publish those Orders at their Respective posts, for which purpose the Adjt Generals will furnish them wt Copies.

The Commanding Officer of Companies or Detachments are Immediately to make out five Muster Rolls of Each Company or Detachment Printed forms of muster Rolls may be had by Applying to the deputy Muster Master Gen. at Head Quarters, Col. Hazen's Reg't to Parade for muster at 10 OClock on Tuesday morning and the other Troops in Princeton at three in the Afternoon. Those at Kingston will parade on Wednesday forenoon at 10 OClock and then at Rocky hill at 3 P. M. on the same day.

(May 4th 1777)

Every Soldier whose Absence is not Accounted for on the Muster Rols Must without fail appear on the parade—The Rolls to be made out Alphabetically & the non effectives to be placed After the Effectives.

Proceedings of A Court Martial of the Line May 1st 1777 Capt. M Connell Prisident.

Capt. Anderson, Lt. Gilbert } members { Lt. Hoops, Lt. Tallott

Francis Dougherty of Capt. Dorseys Comp. tried for being insolent & Drunkness sentenced to Receive 50 Lashes.

Thomas Donaldson of Capt. Nevin's Company tried for being Drunk on his post Sentenced to Receive 150 Lashes.

Patrick Ferrel of Capt. M Connell's Company for being Drunk and Attempting to desert Sentenced to Receive 200 Lashes.

The Genrl Approves of the Sentence and orders them to be put in Execution to Morrow at the Releiving of the Guards.

Timothy Collins, and William Man, are forgiven for their Crimes and ordered to Join their Reigt.

HEAD QUARTERS May 4 1777

The Genl again orders that the whole of the Troops turn out and are on the Parade at the beating of the Ravalie and the Officers Are to Maneuver them untill Sun Rise the Commanding Officers of Corps must Remember for to have all their men Provided with three Days Provision Ready Cook'd The Genl Perticulary forbids the Commanding officers of guards not to suffer any of the guards to be Absent from their guards Either day or Night untill properly Relieved it is with surprise the Genl hears it is A Common Practice when at the Advanced Posts of the Enemy.

Any Officers Commanding guards who shall suffer any of their Officers or men to be Absent untill Properly Relieved may Depend on his being Arrested.

Officer of the Day Col. Stone a Subaltern from the Artilery to Visit the Barracks & Hospital to Morrow.

The Genl Positively forbids any Person whatever found firing or Discharging his Arms near the Camp, Every Officer or Non Commissioned officer who finds any person guilty of that Malicious Practice Must Immediatly tye them up & give them 20 Lashes without Tryal.

The Artilery Must Parade on the Grand Parade, Every Morning at the Break of Day and Fire a morning gun at which time all the Drums in Camp Must beat the Reivelie all the Drums & fifes in Camp Must attend with the Drum Major of Col. Antles Reigt. to beat the troop Retreat & Tatto

Such who do not Attend, the Drum Major Must Confine them & they Shall be punished.

The Following order came from his Exellency to day is to be perticularly observed by the Officers in this Department.

It having been observed that no truth of Adhering to A former order, but the Contrairey some officers make A Practice of Riding Continental Horses as well as them Belonging to the Inhabitants in the Neighbourhood of the Army.

The Commander in Cheif posittively Declares that if any Off, in the Returns will Dare to Presume to Ride any Horse Either Publick or Private, Without Leave first obtain'd from the proper Off, if a Publick Horse, or from the Owner if Private property; Shall Immediatly be Brought to tryal by A Genl Court Martial.

Head Quarters May 15th 1777

As few Vices are Attended with more pernicious Consequences in Civil life, so there are none more fatal in A Military one than that of Gaming which often brings Disgrace, & Ruin upon Offs & Injury and Punishment on Soldiers, & Reports Prevailing which it is to be feared are too well founded that this pernicious Vice has Shead its banefull influence in the Army and in perticular to the Prejudice of the Recruiting Service the Commander in Cheif in the most pointed & Explicat terms forbids all Offs & Soldiers Playing at Cards or Dice or any other games except that of Exercise for Diversions it being impossible if the practice be Allowed at all to Descriminate between Innocent play for Amusement And Criminal Gaming for Pecunary Sordid purposes.

Offs attentive to their Duty will find Abundant Imployment in training and Dissipling their Men, providing for them and Seeing that they appear Neat & Clean and Soldier like, nor

will any thing Redound more to their Honour, Afford more Solid Amusement or better Answer the End of their Appointment than to devote the Vacant Moments they may have to the Study of Military Authors.

The Commanding Off. of every Corps are Strictly enjoined to have the orders frequently Read and Strongly impressed upon the minds of them under his Command, Any Off. or Soldier or other person belonging to or following the Army Whether in Camp, in Quarters, or on the Recruiting Service, or Else where presuming under any pretence to Disobey this order Shall be tryed by A Genl Court Martial.

The Genl Offs in each Division of the Army are to pay the Strictest attention to the Due execution thereof.

The Adjt. Genl is to transmit Copies of this order to the Different parts of the Army also to Cause the Same to be immediatly Published in the Gazzet of Each State for the Information of Offs Dispersed on the Recruiting Service.

Field Off. of the day tomorrow Major Forrest An Off. from Col. Adam's Reigt, to visit the Barracks to Morrow.

The Genl Court martial now Setting is fully Disolved.

HEAD QUARTERS 16th May 1777

A Genl Court Martial to Sit to Morrow, morning at 9 OClock at the Meeting House.

Col. Hall Prisident

Col. Antle	1 C	2 L
Col. Hall	1 C	1 L
Col. Stone	2 C	2 L
Col. Adams	1 C	2 L
	5 C	7 L

The Commissary When there is no vegitables to be had is to Deliver flower to the Soldiers in Liew of their Rations of Rum.

Feild Off, of the Day tomorrow Major Stewart

An Off. from Col. Antles Rigt to Visit the Barracks and Hospital.

1 C, 1 L, 2 S, 2 C, 30 P from Col. Stones Detachment to Parade with three Days Provisions to Morrow Morning to Relieve the Scout.

Head Quarters 17th May 1777

Field Off. of the day Col. Woodford An Officer to Visit the Barracks from Col. Adams.

Head Quarters 18th May 1777

Feild Off. of the Day Col. Stone.

The Adjutant of the Congress' own Reigt to attend at Head Quarters tomorrow, to Act as Adjt. of the Day. A Court of Inquiry to Sit Tomorrow morning at 10 OClock. Col. Adams to Sit as President A Capt. from each Reigt to Attend as members this Court to Inquire into the Charges Against Daniel Williams & Ferguson McClain, Confin'd on Suspicion of Having held Correspondence with the Enemy, and Acting unfriendly to America; the Offs of the Several Corps are desired to see that Proper Returns are made of the Waggons and tents that are Necessary for their Respective Reigts, & the Deputy QrGl is to Supply them Immediately one tent only to be allowed for Six men. The QrMGenl of the Several Reigts to make Return of what Amunition may be Wanting to Compleat each man to 24 Rounds.

The Honble Majr General Sullivan took Command of our Division this Day being 19th May 1777.

HEAD QUARTERS at Princeton 19th May 1777

Feild Off. of the Day Col. Stone.

Col. Adams to furnish the Adjt. of the day The Offs of the Several guards are Desired if one Wm. Delawin Should appear with A pass from his Exellency Genl Washington to go unto Brunswick that they cause him to be Sent to the Genls Quarters Near the Colledge.

The Court of Inquiry appointed to Sit yesterday Are also appointed to Inquire unto the Conduct of Capt. Ewing in the Scrimage with the Enemy on Thursday last, Capt. Heron and all other Witnesses to Attend at 12 OClock this Day and wait the Courts order.

Col. Adams to be Immediately furneshed with A Coppy of this order, And Capt. Ewing with Another.

The Genl intreats the Offs of the Several Reigts to Improve Every Oppertunity for Menouvering & Desciplining their Troops and he further Requests them to be perticularly Carefull to have the Rolls Called twice A day. As Nothing more Conducive to the health of Soldiers than their being kept neat & clean, the Genl Requests the Offs to be Attentive to them, & to Confine Such as will not (after being Admonished) pay proper attention to their Dress and Appearance.

The Morning Reports to be made in future at 8 OClock, The Feild Off. day is to be regularly relieved by the Field Off. of the Succeeding day, at the time of the Guards being paraded, where both of them are Requested to Attend in future.

The troop is to beat at 8 OClock the long Roll is to beat in each Reigt at half past Seven at which time the Parade for Guards & Fatagus are to parade Ready to march to the Grand parade as Soon as the Troops begin to beat. The Adjts of the Several Reigts are to March their parties on & Deliver them over to the Adjt of the present day, who is to Deliver them

over to the Adjt of the Preceiding. The Off. of Fatague, when Such as is appointed is to attend on the Parade to take Charge of the fateague party. A Subl. & 20 men for fatague Tomorrow.

All the Field Offs are Desired to attend at head Quarters this Evening at 6 OClock except those on Duty, the Adjt to attend orderly time at Eleven OClock each Day.

Head Quarters Prince Town May 20th 1777

Field Officer of the day Major Stuart, Adjt of the day Col. Antill. The Troops at each part to turn out at Revellee' beating and assemble on the Grand parade and remain there till the sun rises up, All the Officers are Desired to attend the Parade with, their Troops. The Drum & Fife Majors of the 3 Reigts Stationed at Princeton, and one Drummer from each of those Reigts to Attend at Head Quarters this Afternoon at 4 OClock to receive Some orders from the Genls Aid de Camps, the Qrms of the Reigts Stationed at Princeton are to attend at head Quarters at 5 OClock this Afternoon all non Commissioned Offs and Soldiers are Strictly forbid to hold any Correspondence or Conversation with the British Soldiers in and about this town, all Commissioned Offs are Directed to order under Confinement, any non Commissioned Off. or Soldier which they may discover conversing with Such British Soldiers.

The Adjuts are in future to have the Parole and Countersign delivered out to give at orderly time Seal'd up, which they are not to open till Tattoo beating, & then Send it to the offs Commanding the guard, in their Respective Departments, Should any Sentry Desert his post, After the CounterSign is given, the Commanding Off. is to Alter the Counter Sign in the Departments, notice of which is to be immediatly Sent to

Head Quarters, The Sutlers in and about Princeton to make Returns to the Adjt Qm. Genl of their Names and the manner of appointment As soon as possible. Col. Hall Commanding at Rock'y hill is ordered to Send And relieve Col. Stone's Scouting Party, Consisting 1 Capt. 2 Subs 2 Serjts 2 Corps & Forty Privates, this Evening at 6 OClock they to provide themselves with 4 days Provision.

HEAD QUARTERS 21st May 1777

Field Off. of the Day Major Howard, Adjt of the Day from Col. Adams, Patrick McCallaster of Capt. Kirkwood's Comp. of the Delaware Reigt Sentenced by a Genl Court Martial to Receive 50 Lashes for Stealing a Rifle & Selling the Same, the Genl approves of the Sentence, & orders it to be put in execution at the head of the Reigt tomorrow morning at Guard Mounting.

Jas Collins of the 2nd Maryland Reigt Sentenced by the Court to Receive 100 Lashes for Desertion. the Genl Approves the Sentence & orders it to be put in Execution at the head of the Reigt to morrow morning at 8 OClock, Peter Robinson of Capt. Herons Comp. Col. Hazens Reigt, tryed for Leaving his post & for Desertion, Sentenced to Receive 100 Lashes for each offence, the Genl approves the Sentence, & orders the Execution tomorrow morning at 8 OClock at the head of the Reigt.

Hanna Taylor tryed for persuaiding the Soldiers to Desert, found not guilty the Genl orders her immediatly Released.

John Chard 2nd Maryland Reigt tried at the Same Court for Sleeping on his post Sentenced to Receive 100 Lashes well laid on, the Genl Approves the Sentence, & orders it to be executed at the head of the Reigt tomorrow morning at 8

OClock the Court Martial to Sit again to morrow morning at 9 OClock to try Such persons as may be brought before them.

Fergusson M'Clain trued at a Court of enquiry on Suspicion of being an enemy to his Country.

The Court finding no evidence against him, the Genl orders his immediat Release.

A Return of the Drums & fifes wanting in the Several Reigts are to be made immediately.

HEAD QUARTERS May 22nd 1777

Feild Off. of the Day Major Taylor.
Adjut. of the Day Col. Adams Adjt.

A Weekly Return of All the troops in this Department to be made at Head Quarters on Saterday at orderly time.

The Court of Inquiry Already apponted are to enquire into the Conduct of Mary Quin Confin'd on Suspicion of being an Enemy to her Country, Also into the Conduct of Daniel Williams, & John Jakel taken up going to the Enemy, all Witnesses to attend tomorrow morning at nine OClock.

HEAD QUARTERS 23rd May 1777

Feild off. of the Day
Adjt of the Day

Barbara Bowie tryed by A Genl Court Martial for Persuaiding the Soldiers to Desert & found not guilty.

The Genl Approves the Sentence & orders her Release.

(May 23rd 1777)

Hugh Wallace of Col. Hazen's Reigt tryed for Desertion, from that Reigt & Joining in Another of the Maryland Reigts

into which he had previously Inlisted. The Court Adjudge him to refund the money he Rec'd of the Off. in Col. Hazen's Reigt though the Genl Supposes the Court must have had some Mittigating Evidence before them, in favor of the Prisoner, beside what accompanies the Sentence to Induce them to Pass so faivourable A Sentence Yet he finds himself oblidged to Disaprove it on account of its Incertainty, & orders the Prisoner to Remain for further Consideration, the Genl orders for the future the Judge Advocate to take down in writing the whole Evidences & furnish him with A Coppy at the time he Received the Proceedings of the Court Martial.

The Court finding no evidence against Danl Williams John Jakel, Danl McGuire, & James Robinson, the Genl orders their immediet Release.

The Genl Cannot forbear expressing his astonishment at the number of prisoners, Dailey confined in this Department as those Prisoners as well as the Rest of the Soldery are possessed of Rational faculties, He desires them Seriously to Reflect on the Differrence that Soldiers Situation—who Consious of Doing his duty Fears no Punishment & Reasonably expects favour, Countenance and prefirment, and that of a Soldier whose Constant beheavour Exposes him to the Censure of his Country, the Resentment of his Offs, and the Several Punishments by Sentence of Court Martials: punishment not only hard to endure, but must in their Consequences make them infamous among their fellow Country men forever After, it is truly astonishing that Considerations of the Sort Should have escaped the Lowest Soldier and what is yet more Surprising is that there Should be persons in the American Army so Lost to every principal of virtue, & Since of his own Happiness as to Attempt Desertion to an Enemy Already Destressed by famine and worn out with fatigue, and who Dailey live in

fearfull expectation of feeling the Weight of American Resentment, that this is the Situation of the British Army at present all the prisoners and Deserters agree. And the wreched Regulars now among them with tears Confess it to their friends when among them. while all Europe is arming in favour of the Americans, while volunteers from all the States in Europe are coming into venture their Lives in favour of American freedom and while the Enemy Acknowledges that they have no prospect of Conquering this Country, what can Induce Persons to Desert to Such A Wreched Enemy, who have distinguished themselves by their Cruelty to the misguided Soldiers who have Deserted to them, as by their inhumanity to the Inhabitants of this State who have fallen into their Power.

The Sentence of A Genl Court Martial ordering Richd Burrest of Col. Hazen's Reigt to be Shot for Desertion is approved the time for execution will be fixed in future orders.

The Bakers in the Several Reigts to Attend the Commissary to morrow morning at Eight OClock and Receive his orders.

HEAD QUARTERS 24 May 1777

Field Off. of the Day to Morrow Col. Antill.
Adjt. of the Day Col. Antills Adjt.

The Commander in Cheif positlively Directs that all offs. Stationed at out posts do not Come to Morristown but when their Business Absolutely Requires it, and in that case that they Return to their posts with all possible expedition.

Thos. Mullen Esqr. is appointed Brigade Major to Brigadr Genl Debarre & is to be respected & obey'd as Such, A number of Horses having been Drawn from the QrM. Gnl for per-

ticular Services & not Returned when the Business was performed, all Offs of Regts & others in possession of Horses Belonging to or hired by the States, are immedietly to return to the QrM. Genl his Deputy or Assistants in the Districts they may be at, the Genl Offs are to order Returns to be made of any publick horses imployed in their families that the States of the Horses Belonging to the Army may be known.

Valantine Peers Esqr. is appointed Brigade Major to Brigadier Genl Weeden & is to be Respected and Obey'd as Such, Lewis Woodruff Esqr. is appointed deputy Muster Master Cols & Commanding Offs of Regts and Corps must Cause their Reigmental Paymasters to make up their pay Abstracts to the 30th day of April or exclusive, & order them to attend to the paymaster Genls office for the money, they must be examined & Signed by their Respective Commanding Offs & Brigadiers who Will Diligently Compare them with the dailey & weekly Reigmental Returns & Certify them, the Company Abstracts must be Deliver'd into the paymaster Genl with the Regtl abstracts that the great and necessary purpose of Adjusting the Rank of all the Offs in the American Army may be effected with all expedition his exellency the Commander in Cheif, is pleas'd to order that the Feild Offs of each Continental Batt. do immediatly examine into the present Rank and hear their pretentions thereto, of all the Capts & Subalterns, Settle them where they Can to the Satisfaction of all the Gentlemen Concerned and make a full & fair Report of all their proceedings to the Brigadier commanding their Brigade; & that the Brigadiers with the Assistance of the field Offs of their Brigade do upon the reports of such, proceed to Adjust the Rank of all their Offs in the Seperate Brigades and make a full and fair Report of their proceedings. To the Major Genl Com-

manding their Divisions that Should there be any instance of Dissatisfaction in the Offs they Candidly inumerate by such Feild Offs and parties Complaining with all their attending Circumstances & Report it to their respective Brigades Who Shall Call before them all parties interested enquiring into their Claims (& if it Cannot be settled with Satisfaction) make A Special & Particular Report to their Major Genl upon receipt of which Several Reports; A board of Offs will take a Dispationate Comparative view of the whole & Determine the Rank in the Army, untill which time it is expected the Service will not be injured, in Disputes about Rank, but that every Off. will by an emolous Discharge of his Duty recommend him Self to his Country, & to the promotion he ranks himself intitled to.

Head Quarters Princeton 25th May 1777

Feild Off. of the Day Majr Forrest.
Adjt of the Day Col. Adam's Adjt.

All the Troops Stationed at Princeton except those on guard & fatague to Parade for Exercise to morrow 10 OClock forenoon, The Sentence Against Hugh Wallace being explained to the Genls Satisfaction the Genl Approves the Sentence and orders that as Soon as he refunds the Money Recd of Col. Hazen's Off. or of the Off. with whome he Stands Inlisted in the Maryland Regt will become Responsible for it; the Said Wallace be Released from his Confinement and return to his Duty in the Maryland Regt.

The Qrm. to See the Bridge near Kingston mended as Soon as possible.

HEAD QUARTERS May 26th 1777

Feild Off. of the Day Majr Stewart.
Adjt of the Day Col. Antles adjt.

The Genl Court Martial to Sit to morrow morning at 9 OClock to try Such matters as may be brought before them. The Court of Inquiry to Sit at the Same time to Inquire into A Complaint against Capt. McConnel, for withholding the Bounty money from Jas Irwing also to Inquire into the Conduct of Ens. Hook Accused of Embezling Stores, the Court Martial to try the Complaint of Capt. Herons against Capt. Ewings for misbehaving before the Enemy—The troops at Rockey hill and Kingston to parade at Kingston to morrow three OClock afternoon for Exercise.

As Catridges are now arrived the QrMasters are to make an Immediet Return and Draw what is wanting to Compleat each man to 24 Rounds all firing is forbid without Special orders.

All the Armourers and Smiths in the Several Regts to appear at Head Quarters to morrow morning 9 OClock.

The Genl is Surprised that there has not been more attention Paid to the orders of the 21st Inst. Relative to A Return of the Drums and fifes Wanting in the Several Regts.

The Genl Strictly Injoins it upon all Offs of guards and other Offs that when A Considerable firing of Cannon or Musketry is heard, they give him immediate notice of it; the Adjt of the Day is to furnish the Captains of the Main Guard with the Countersign.

Head Qurts Princeton 27th May 1777

Off. of the Day Major Stewart.

Adjt of the Day Col. Adams.

Genl orders, all the Carpenters & Wheelrights at Princeton to parade at Head Qurts to morrow morning at 9 OClock. A Scouting party Consisting of one Capt. one Subl. two Serjts two Corpls & 36 privates ordered out of Col. Stones Regt to Relieve A Scouting party at the Quaker Meeting house on Brunswick Road, to be on the ground to morrow morning at 9 OClock to try Lt. Sanford for Neglect of Duty & Lt. Hanson for the Same Offence the Genl expects in future when any Off. puts another in Arrest they will immedietly Report it at Head Quarters with A Coppy of the Charge Similar to that which he leaves with the Off. arrested, the Genl Strictly enjoins it upon all offs to use their utmost endeavours to apprehend all persons who Shall be found Discharging their piece in and about the Camp that they may be punished. The Court of enquiry that was Ordered to Sit upon Capt. M Connell is a mistake, so it appears that James Irving was not Inlisted with Capt. M Connel but with Capt. Burns; Majr Taylor to Sit as President of the Court of Inquiry to day in the Room of Lt. Col. Adams who is Sick.

The guard to be furnished with one Subl. only; as nothing Can be attended with worse consequences than the Issuing out a Wrong Countersign. The Genl orders that in Case any Such thing Should again happen that the Off. of the Day, put in arrest the Off. who has given it out. As frequent Complaints has been made of the Remisness & Ignorance of the Kingston guards, the Genl Desires those Offs acquainted with Camp Duty to instruct the younger Offs in that Department, that an end may be put to Such Complaints and the Duty done in a Soldier Like manner.

Princeton 28th May 1777

Reigmental Orders

A Reigmental Court Martial to be held this Day at 9 OClock for the Tryal of Several Prisoners of the Delaware Reigt Commanded by Col. David Hall; Whereof Capt. Robt Kirkwood is president.

Lt. Queenault, Lt. Bratten } members { Lt. Duff, Ens. Horsman

The Court Adjourned to 9 OClock Thursday morning 29th May.

Head Qrts Princeton 29th May 1777

Feild Off. of the Day Col. Woodford.
Adjt. of the Day Col. Antle's Adjt.

Wm. Applegate tryed by Genl Court Martial for Desertion no Evidence appearing to the Court against him the Genl orders him to be Released; Alxr Cook tryed by the Same Court for Desertion; the Court finds that he inlisted in another Regt through ignorance and not with any evil Design, & that he has always behaved as A good Soldier, and Adjudge that twenty Shillings be Stopped out of his Wages, for the use of the Sick in the Regt to which he Belongs, and that he do Duty in Col. Hazens Regt till his proper officer (of the 7th Pensulvania Regt apply for him.

James Duffy tryed at the Same Court for Desertion the Court finding no evidence against him, the Genl orders his Release, & that he Joines Capt. Tories Company.

Alaxander Graham tried by the Same Court for Desertion, the Court finding no evidence Against him orders him to Join Capt. Tories Company till Capt. Wilson is present; the Genl

orders him to be released from the guard house & that he Continue in Capt. Tories Company till Capt. Wilson is present.

The troops at Princeton to Assembel for exercise to morrow morning at 10 OClock at the Grand parade, to have Wooden knockers instead of flints, all the guns to be Drawn that may be Loaded; As nothing in War is so essentially Necessary as the instructing Troops in the Loading and firing motions, & in the Different Manuevres, the Genl Desires all the Offs to pay perticular attention to these essential points & not to let too much time be spent upon the unessensial parts of the Manuel Exercise which in time of Action can be but of little use.

The Genl Strictly orders that no Horses be turned into any persons inclosure but by order of the Qrm. G, Forrage MrGl Waggon Mr G, or their Deputies or assistants.

The Genl Desires that in future all Soldiers for Small offences be Confin'd in Qrtr guards, and tryed by Reigmental Court Martials, also in future one Subl. at least is to be with every fatague party.

HEAD QUARTERS 29th May 1777

Feild Off. of the Day, to morrow Lt. Col. Antle.
Adjt. of the Day Col. Adam's Adjt.

The Court of Inquiry now Sitting to inquire into the Complaint against Mary Quin, and Elizabeth Brewer Confined on Suspicion of being an enemy to their Country.

HEAD QUARTERS 29th May 1777

Proceedings of a Genl Court Martial held this day by the Delaware Regt Commanded by Col. David Hall for the Tryal

of the undermentioned Prisoners belonging to s'd Regt Whereof Capt. Robt Kirkwood is Prisident.

Lt. Queenault, Lt. Brattan } members { Lt. Duff, Ens. Hosman

Saml McMurry of Capt. Andersons Copany Confin'd 10th May by Lt. Col. Antle for being Drunk.

Prisoner being Call'd pleads not guilty, and no evidence appearing against him this Court is of Opinion that he ought to be Released from his confinement, therefore orders him to Join his Company.

George Connoly, a Soldier in the Same Company Confin'd 27th May by Serjt Murphy for Drunkeness & on Suspicion of Theft.

EVIDENCE—James Bennet a Soldier in the Same Company, being duly Sworn deposeth that he told him that he had found A pocket book with about twenty pounds in it, that he Could now give him A treat, & Shewed him an eight Dollar bill, & he Saw Some other bils in his hand.

The Prisoner on his Defence Sayeth that he had but A four Dollar bill that he Recd of his Capt. and further Sayeth that he had an eight Dollar Bill between him and his Comrade.

From Circumstances wich appear after the evidence was duely Examined, the Court are of opinion the Prisoner is guilty of the Crimes Laid against him, and do Sentence him to 25 Lashes well Laid on for being drunk & 150 lashes well laid on for theift; and what pay may be Due him to the 1st May, stopt and 25/c pr month after that time untill he Refunds the Sum of Twenty pound twelve Shillings & Sixpence.

Richard Garret a Soldier in the Same Compy Confin'd 27th May by Serjt Murphy for Drunkeness.

The Prisoner being Calld pleads not guilty.

EVIDENCE—Serjt Murphy being Duly Sworn deposeth that the prisoner was drunk and he thought unfit for Duty, but that he is a Quiet harmless fellow when Sober, & that he never Saw him drunk before.

Prisoner in his Defence Saith, that being ordered on A party with Capt. Anderson, and on his Return from the party, was put on guard and on fatague till with in Some few hours before, he was Confin'd and therefore Left it to the Court to Judge if he had time to get Drunk, from Circumstances that appears after the evidence was called and Duely examined, the Court are of opinion that the prisoner is guilty of the Crime of Drunkeness, but taking into Consideration the Character he bears when Sober, & that he is not apt to be in Liquor, and being the first time he has been Confin'd for any fault Do acquit him, on Conditions that he promises to do the Like no More.

HEAD QUARTERS Princeton 30th May 1777

Feild Off. of the Day Majr Howard.
Adjt. of the day Col. Antles Adjt.

Lt. Sanford Tryed by A Genl Court Martial for behaving Unlike A Gentleman and an Off. to Capt. O'Hara, the Court find him not guilty of the Charge, the Genl approves the Sentence and orders that he Return to his duty.

The troops at Kingston & Rocky hill to Assembel to Morrow three OClock afternoon; the Soldiers are to have wooden knockers instead of flints.

HEAD QUARTERS Princeton 31st May 1777

Feild Off. of the Day Col. Gunby.
Adjt. of the Day Col. Adam's Adjt.

The Court Martial Whereof Col. Hall is President to Sit on Monday Morning 9 OClock to try Capt. Longstreet, who is Arrested by Majr Taylor, for making use of Impertinent & Abusefull Language to him, unbecoming an Off. or Soldier.

A Return to be made Immediatly of all the Catridges on hand, the Off. Commanding the Several Regts are to See that their arms & accoutriments are in good order and fit for Action.

The QrMaster is once more Requested to furnish the Several Regts with their Quoto of Waggons Immediatly.

HEAD QUARTERS Princeton June 1st 1777

Feild Off. of the Day Lt. Col. Ramsey.
Adjt. of the Day Col. Antle's Adjt.

Capt. Ewing tryed by A Genl Court Martial for Misbehaving before the Enemy, the Court are of opinion that the Charge has Some foundation as he did not Act in Conjunction with Capt. Heron According to his agreement, or give him notice when he went off—but as the Circumstance of his not being made Acquainted with the Signal agree'd on Between Capt. Longstreet, & Capt. Heron and his former good Conduct Appeard in mittigation of the offence the Court Sentence him to be Reprimanded by the Genl in presence of Capt. Heron—The Genl Approves the Sentence & orders him and Capt. Heron to Attend at Head Quarters, or as Soon as Capt. Heron Returns, all the Soldiers to furnish themselves to Day

with two Days Provisions Ready Dressed & hold themselves to march on the Shortest notice.

The QrMaster & Commissary to Acquaint themselves every day with the Genl orders, & Send Some person to take them off and take the Countersign.

After orders will be issued this Day at 5 OClock P. M. All Adjts and others whose business it is to take off orders to attend punctually.

The Off. of the Day by no means to go the Grand Rounds without a Serjt and proper escort when Gr. Rounds are to be performed on Horseback, it is usual for him to take Some officers of the Regt to which he belongs & A Serjt with him on horseback.

HEAD QUARTERS Princeton June 2nd 1777

Parole Washington C. S. Stephens.

Feild Off. of the Day tomorrow Col. Stone.
Adjt. of the Day Col. Gunby's Adjt.

The Genl Court Martial whereof Col. Hall is Prisident that was to Sit to Day is to Sit tomorrow morning 9 OClock.

Col. Stone to Send A party Consisting of 1 C, 1 L, 2 S, 2 C, 36 P to Releive a Scouting party on Brunswick Road at or near the Quaker Meeting house to be on the ground tomorrow morning at 9 OClock well equip't with five Days Provisions.

Col. Stone to give them their Necessary orders.

HEAD QUARTERS June 3rd Princeton 1777

Feild off. of the Day to morrow Majr Forrest, Adjt. of the Day Col. Harzen's

HEAD QUARTERS Princeton June 4th 1777

Feild Off. of the Day Majr Stewart.
Adjt. of the Day tomorrow Col. Hazen's Adjt.

The Adjt. in future to take of orders themselves unless when Sick or Absent from their Regt. And then A Subaltern must take the orders.

HEAD QUARTERS Princeton June 5th 1777

Feild Off. of the Day to morrow Majr Stewart.
Adjt. of the Day Col. Hazen's Adjt.

The Court Martial Whereof Col. Hall is President is Adjourned. A Genl Court Martial to Sit at ten OClock this Morning to try Deserters Col. Gunby President, Col. Hazen to furnish Out of his Regt only for to day 4 C, 4 L. Col. Gunbys Regt to furnish 1 C, 1 L, the Del. Reigt to furnish 1 C, 1 L. The Troops at Princeton to furnish A party to Relieve A Scouting party on the Brunswick Road at or near the Quaquer Meeting house, to be on the ground tomorrow morning 9 OClock the Party to Consist of 1 C, 3 L, 4 S, 4 C, 100 P Well equipt with five Days provisions.

A party to be Sent from the 3 Regts at Princeton to Relieve Capt. Heron at Cranbury to Consist of 1 C, 1 L, 4 S, 4 C, 60 P.

A Genl Court Martial to Sit to morrow morning at 9 OClock to try Such matters a Shall be laid before them, Col. Gunby President.

Col. Hall to furnish 1 C, 1 L as members; Col. Stones to Summon from the 3 Regts under his Command 2 C, 3 L as members of Sd Court. Col. Hazen to furnish from his Regt

2 C, 2 L Col. Gunby to furnish 1 C, 1 L and the D. Regt 1 L all to be members of the Genl Court Martial. The Genl flattered himself that tenderness to all Soldiers under his Command, and A Proper attention to this Comfort, when Join'd With due Consideration of the Justice of the Cause we are engaged in, would Strongly operate to Prevent Desertions; but finding Some Soldiers are deaf to all calls of Justice & Reason, & void of these gratefull feelings which every Soldier Should possess, when treated with tenderness & Humanity, he finds himself under the Disagreeable Necessaty, to punish Deserters with the greatest Rigour, therefore orders that Richd Burress be Shot on the Publick parade between the hours of ten in the forenoon & two in the Afternoon tomorrow.

That the Court Martials in future try Persons for Desertion before they proceed to any other Business, that they may be punished as Soon as possible; he further orders the Offs Commanding the Scouting parties, & out parties that if any of their party attempt to Desert and are Retaken that they Cause them Instantly to be hanged or Shot on the Spot, he further orders that when any of our out Guards Discover any Soldier attempting to Desert to the Enemy that they Immedietly fire on them & kill them on the ground. Every Soldier who may in future be Discovered near our advanc'd lines without A pass in Writing Shall be Deem'd Deserters, & punished as Such without further evidence; that no plea of Ignorance of orders may be offered in excuse. The Genl orders that all orders be Read at the head of the Companies at Roll Calling in the Evening & at the head of the Companies in the morning at Roll Calling, and that every Capt. of a guard, or picket, or Scouting party Shall Before he Dismisses his party Cause all orders Issued while he was on Duty to be Distinctly Read to them, Copy of these orders to be immedietly Communicated to the Offs Command-

ing at the out posts & to the Commanding offs at Cranbery. The Genl Court Martial that is to Sit tomorrow is to try Lt. Price who is under arrest for Neglect of Duty when on guard.

HEAD QUARTERS Princeton 6th June 1777 P Hancock, C L Trumbull

Feild Off. of the Day tomorrow Col. Hall.
Adjt. of the Day to morrow Col. Harzen's Adjt.

James Irving tried by A Genl Court Martial for Deserting, found guilty, the Court Sentence him to receive 100 Lashes on his Bare back. Thos. Larkin tried by a Genl Court Martial, being Charged with an Intention to Desert. Upon a full examination the Court think proper to Acquit him, the Genl approves the Sentence And orders him to be immedietly Released from his Confinement And to go in his Regt.

HEAD QUARTERS Princeton 7th June 1777 Parl. Arnold C S Scott

Field Off. of the Day tomorrow Lt. Col. Woolford.
Adjt. of the Day Col. Hazens Adjt.

Robt Buckannon is appointed Judge advocate unto this Division untill further orders. The Genl Directs that all the pay Rolls be made up untill the 30th of April agreeable to former orders, the Pay Drawn and all the men paid off immedietly; Francis Ward and Henery Barrier, both tried by a Genl Court Martial for attempting to Desert to the enemy the Court finds them guilty and Sentence them to Suffer Death, his Exellency Genl Washington has Approv'd the Sentence the time of execution will be notified in future orders.

The following Regts are of Genl De Boris Brigade; Col. Hazens, 2nd Maryland, Col. Price, 4th do. Col. Hall, 6th do. Col. Williams, Genl De Bore is to take Command of his Brigade & march those Regts at Princeton to Kingston & take possession of Kingston, Rockey hill & Scudders mill, he is to furnish the Picquet at the 7 Mile Tavren, also the guards at Greggs tavren, all the other troops Belonging to the Division of the Army are to march to Princeton; & take up the ground of Encampment; the Troops to prepare to Day and to March to Morrow at 9 OClock.

A Corporal & 4 Men to be Sent Dailey from the Main guard to Obdikes hill to guard the Beacon the Corporal to take his orders from Head Quarters, the Main guard to furnish A Sentry at the Beacon at Princeton daily.

Head Quarters Princeton June 8th 1777

Feild Off. of the Day Col. Antill.
Adjt. of the Day Col. Ramseys Adjt.

Lt. Price tryed by a Genl Court Martial for neglect of Duty when on guard, found guilty and Sentenced to be Reprimanded By the Genl in prisence of Col. Stone is also required to Attend Wm. Steel & Thomas Jonston of Capt. Henerys Company 5th Maryland Regt, tried by the Same Court for Attempting to Desert & Sentenced to Receive 100 Lashes each the Genl Approves the Sentence & orders them to be put in execution to morrow morning at guard Mounting. Col. Stone to take command of Genl Smallwoods Brigade till further orders, he is to appoint Some Suitable person to Act as Brigade Major, no light horse is to Stand Sentry on our advanced

posts, but Remain in the Rear Ready to give intilligence of the Enemys movement if necessary all the Mecanicks of Genl Smallwoods Brigade to attend upon the Assistant QrMaster General tomorrow morning at 8 OClock to Receive his orders.

The Court of Inquiry Whereof Majr Taylor is president is Disolved; The troops at princeton to furnish A Scouting party Consisting of 1 C, 2 L, 4 S, 4 C, 100 P to releive A Scouting party on Brunswick Road at or near the Quaker Meeting house to have five Days Provision to be well equipt & to be on the ground tomorrow morning at 9 OClock.

HEAD QUARTERS 9th June 1777 P. Crambery C S Philada.

Feild Off. of the Day Col. Ramsey.
Adjt. of the day tomorrow Col. Ramseys Adjt.

The Genl Court Martial Whereof Col. Gunby's President to Sit to morrow morning to try Capt. Ewing for breach of Genl orders. Major Sherburn to furnish the Court with A Coppy of the Sentence of the Court martial Against him As also with A Coppy of Gnl orders of the 7th Inst. respecting Capt. Ewings Attendance at Head Quarters, Major Sherburn & Capt. Heron to Attend the Court as Witnesses to prove Capt. Ewings non Attendance; the guard at the 7 Mile tavren is to be by no means Commanded by A Subaltern, the Genl is much Surprised to hear that after express orders was given for a Capt. & fifty men that so unsoldierly a manner Should be gone into as to Send A Subl. to Command 50 men which is properly A Capt. guard, the Main guard to consist for the future of 1 C, 2 L, 4 S, 4 C, 58 P the Several Regts to have Qr. Guards established which is to furnish the Necessary Sen-

tries for the Field Off.; as Catridges are now at hand the Soldiers amunition to be immedietly Compleated each Brigade to furnish a field off. of the Day to visit their Respective Separate guards.

Brigade Orders June 9th

Genl Smallwoods Brigade Consisting of the 1st 3rd & 7th Maryland Regt & D R to be on the parade every morning at Revellie Beating in the field in the front of the encampment every Off. to be on the field with their Regts agreeable to Genl orders, morning reports to be made from each Regt & Deliver'd to Col. Stone at his encampment, every Soldier for guard to be dress'd neat and Clean & head powdered each Regt to Draw what Catridges are Necessary to Compleat each man with 24 Rounds.

Head Quarters 10th June 1777

The Commissary to pick out of any Company at Princeton any Baker or Bakers that he thinks Necessary to Carry on the Baking Business for this Brigade.

It is Suppos'd that a number of Deserters now coming out are employ'd by the enemy as Spies, the Genl Strictly orders that no off. or Soldier except those that have them immedietly in Charge, Shall attempt to Speak to or hold any Conversation with them; the parties having them in Charge Shall bring them immedietly to head quarters all offs are requested immedietly to Confine every non Commissioned off. or Soldier who Shall be Seen gathering Round or holding any Conversation with any Deserter that they may be punished for breach of Genl orders.

BRIGADE ORDERS June 10th

Field off. of the Day tomorrow Majr Sterrit.
Adjt. of the day tomorrow 3rd Maryland Regt Adjt.

The Adjt, of the Day is to See the Different guards march in proper time to Releive the main guard & to Receive the Countersign & deliver it to the offs of the guard Each Regt to parade precisely at half past three P. M.

HEAD QUARTERS Princeton 11th 1777

Off. of the Day tomorrow Majr Forrest.
Adjt. of the Day to-morrow 1st Maryland Regt.

The troops at Princeton to parade to day precisely at half past 3, OClock in the afternoon.

James Whight, & Jonathan Wright of Col. Harzens Regt tryed by A Genl Court Martial for Suffering a prisoner to escape, the Court find them not guilty; the Genl approves the Sentence & orders them to be Releas'd.

James Cox of Col. Hazens Regt tried by the Same Court for Attempting to Desert to the Enemy & Sentenc'd to Receive 100 Lashes on the Bare back & he Confin'd During the War, the Genl Approves the Sentence, & that he Receive the 100 Lashes to Morrow morning at guard mounting, that Col. Hazen Discharge him from his Regt & Send him to Philada with a Coppy of the orders that he may be Confin'd in Such place as the Commanding off. Shall Direct.

Mary Quin try'd by the Same Court, for acting as an Enemy to her Country, no Evidence appearing the Genl orders her to be Releas'd. Elizabeth Brewer try'd by the Same Court & found guilty of acting as a Spy in the Service of the Enemy,

do Sentence her to be Confin'd During the War, the Genl Approves the Sentence & orders her to be Sent to Morrow in Company with James Cox to Philada with a Coppy of her Sentence & to be there Confin'd in Such place as the Commanding off. Shall direct during the War. Genl De Bores Brigade to furnish A Scouting party to Consist of 1 C, 2 L, 4 S, 4 C, 60 P to Releive the Princeton Scouting party on the Brunswick Road at or near the Quaquer Meeting house, to be on the ground tomorrow morning at 9 OClock with 5 Days Provision & well equipt.

Field Off. of the Day Majr Forrest.
Adjt. of the Day 1st M. Regt.

Head Quarters Princeton June 12th 1777

All the Paymasters in their Divisions are ordre'd to attend at the Paymaster Genl at Middle Brook to Morrow morning at 10 OClock presisely each to take paper with them to take A Coppy of the pay Roll formed agreeable to the New establishment; those Regts who are Destitute for Paymasters are to Send Some Carefull off. for that purpose those offs Commanding the Different Brigades are Desired to See that their men are Supplied with amunition Immedietly and that their arms are in good order, & for their Men to be Ready at a Moments warning to march, & by no means for Off. or Soldier to absent himself from Camp & the Waggons Belonging to the Different Regts are not to be out of the Way but to keep with their Respective Regts. The Sick are to be Removed to Trenton Immedietly, the Court Martial of which Col. Gunby's president is Disolved All the troops in the Division to have three Days provision Cooked Immedietly.

we March'd from thence to Corrells ferry on the Dellaware which is 24 Miles the next day back to Flemington which is 18 Miles.

BRIGADE ORDERS

All the Muskets that are Charged are to immedietly drawn and the Muskets to be Cleaned & put in the best order for Action, the Offs Commanding Comps are to See this done, the Brigade to parade this afternoon at 4 OClock to Examin their Arms, Returns to be made immedietly for Catridges & flints, the Provision to be Drawn immedietly to furnish each man with 3 Days the Offs and Soldiers of this Brigade to have their Baggage Packed up & Ready to put into the Baggage Waggons at a moments warning the Commanding Offs to See their Sick Removed.

The QrMaster to provide waggons for that purpose; in Case of any alarm immedietly the Waggons to be guarded by those Soldiers that are Lame or Muskets may be out of order as to Render them unfit for action. No Soldier as Able Bodied to Bare arms & those Muskets that is out of Repair to be detain'd.

Field Off., for tomorrow Majr Sterrett.
Adjt. for tomorrow Jas. Lucas.

HEAD QUARTERS Princeton 13th June 1777

All the Troops to have their tents Struck Immedietly and their Baggage Waggons Loaded and be Ready to March by 3 OClock in the Afternoon, All the guards about Princeton Kingston and Senders Mills to be Call'd in, the Prisoners to move on their Respective guards.

BRIGADE ORDERS

Provision to be Immedietly Drawn to furnish each man with 3 Days, and to be immedietly Cook'd. Field Officer of

the Day to morrow Col. Gunby, Adjt. of the Day from the 3rd Regt Col. Stone is Surprised that each Regt has not furnished the Artilery with the number of men ordr'd for that purpose The Commanding Off. of each Regt is to order 2 men the best Qualified to Serve in the Artilery Immedietly to Join Capt. Stewell.

Flemington 18th June 1777

The Genl orders that all the troops be immedietly furnished with 3 days Provision to have it Cook'd Dirictly & that no Soldier make any plea after the 3 Days is expired, that he has no provisions As the Genl is Determined None Shall be Drawn till that time is Expired, the troops to hold themselves in Readiness to march at A Moments Warning with their Knapsacks, Blankets & provisions. Proper guards to be left with tents & Baggage Composed of those persons who are least able to undergo a March the Weomen who are left at the other Side of Corrells ferry & the men who are left to guard the Baggage to be Brought forwards immedietly to this Camp the QrMaster to furnish each Brigade immedietly for the future. An orderly Serjeant from each Brigade to attend at Head Quarters Daily A Main guard consisting of one Capt. 1 Sub. 2 Serjts & 36 Privates to be established immedietly for the tryal of Such persons as may be Brought before them.

Col. Hazen President; Six Captains & Six Subalterns to be furnished from each Brigade to Sit as Members; John Powell Esqr. is appointed Brigade Major to Genl Smallwood & is to be Considered as Such.

Brigade Orders 18th June

Each Regt of Genl Smallwood's Brigade to have their baggage pack'd up & parade in the Road immedietly, and march

to the place of encampment, the loads to be all Drawn & the arms to be put in the best order; The Brigade to parade at 6 this afternoon, the Commanding Off. of each Regt to examine their Armes, The 3rd Maryland Regt to occupy the Barns & where Col. Gunby is now Quarter'd the Catridges to be examined & those that may be wet to have others put in their Room, any Catridges that may be wanting may be had by Sending their Returns to Col. Stone.

Flemington June 19th 1777

Genl Orders

The troops to parade immediately & march to Prospect hill the Baggage to be left at Flemington, under the Command of Major Vaughen.

Brigade Orders June 19th

All the Troops to parade this evening on the brow of the hill for Scout.

Delaware Regt 1 Capt. 40 Privates & 2 Subalterns.

Regimental Orders Rockey hill June 20 1777

A Court Martial to set immedietly for the tryal of Sundry prisoners: Whereof Capt. Robt. Kirkwood is President, Lt. MKennon, Lt. Qenocualt, Lt. Bratton and Ens. Skillington Members.

Proceedings of the Above Court Martial.

Pr order of Col. David Hall, for the tryal of Sundry prisoners Belonging to the Delaware Regt. Members as Above.

Robt. Hoskins Joseph Brown William Black John Lays John Randam William Skinner Belonging to Capt. Thomas Holand's Compy.

From flemington we march to Towerland Mountain which is 10 Miles & from thence to Rocky hill which is 8 Miles.

Confin'd by Col. David Hall for plundering A house of an Inhabitant of the United States near prospect hill, The above prisoners being brought Before the Court pleads guilty.

The Court after Duly Considering the Offense do Sentence John Random to receive 75 Lashes on the bare back 50 for the Above offence, & 25 for lying Before the Court, Robt. Hoskins, Joseph Brown Wm. Black John Lays, to receive 50 each on their bare backs.

Wm. Skinner to receive 39 Lashes, & the whole of them to have half a months pay each Stop'd out of their pay for the use of the Sick Soldiers of the Regt. Sign'd

ROBT. KIRKWOOD
Capt. DR president

The Above Sentence is approv'd of, & order'd to be put in execution this Evening at parading time Except, Wm. Skinner who on Acct. of his Youth is ommitted.

DAVID HALL
Col. DR

HEAD QUARTERS Sampton June 23rd 1777

Genl Orders

Field Off. of the day from Genl Smallwood's Bridage.
Field Off. of the day tomorrow from Genl Debres Brigade.

Adjt. of the Day from Genl Debores Bridage, an orderly Serjt to be sent from each Brigade to Genl Sullivans Head Quarters, A Picquet to be established Consisting of 2 C, 2 L, 4 S, 4 C, 100 P. A main guard of 1 C, 1 L, 2 S, 2 C, 36 P, guard for Genl Sullivan to be taken from Col. Hazen's Regt

of Genl Debores Brigade to consist of 1 L, 2 S, 2 C, 24 P to be a standing guard until further orders, Genl Debores Quota for guard is 2 C, 3 L, 6 S, 6 C, 100 P, Col. Stones Quota is 1 C, 1 L, 2 S, 2 C, 60 P. Adjt of the Division for tomorrow from Col. Stones Brigade, the Brigade Major to see the Picquets posted in Rotation, except when the business of the Brigade requires their immediet attendance, & then the Adjt of the Day must see it done, and who is to attend the parading of all guards The Genl is inform'd that the Soldiers under his Command have of late made it their business to plunder the inhabitants in their march thr'o the Country he therefore Desires the Offs Commanding Regts in the Several Brigades under his command to find out those Soldiers who have been guilty of that Scandelous practice, and immedietly Confine them, in order that they meet with Punishment Aduquet to their crimes, & for the future to take such methods as will prevent the like again.

From Rockey hill we march to Brunswick which is 12 Miles and from thence to Sampton which is 6 Miles where our Regt Lay at a Saw Mill where we had prepar'd our Selves for an attack.

Head Quarters Middle Brook 26 June 1777

Genl Orders

The Troops are all to be compleated with 3 days provisions, one of fresh and two of Salt if to be had, & to hold themselves in readiness to march at A moments Warning; The Troops will lodge themselves in the best manner they can

this night, near the gaps of the mountain from every gap proper picquets ought to be posted and patroles sent out During the night all the Troops are to Draw Spirits if it is to be had at the Commissaries at Old Head Quarters.

HEAD QUARTERS Lincoln Hill June 29th 1777

Genl Orders

Major Genl for tomorrow.....Green.
Brigadier .....Muhlenburgh.
Field Off. .....Col. Spotswood.
Brigade Major .....Swain.

The QrMaster Gen. is to make a proper Destribution of Waggons among the Brigades and Corps of the Army, and in proportion to their Respective numbers, to ascertain which, he will Apply to the Adgt. Genl.

From Sampton to Lincoln Mountain 9 Miles N. N. W.
Brunswick which is 3 Miles, that was our next march.

DIVISION ORDERS

The Picquest to parade as usual A Corporal and four men of Genl Smallwood's Brigade to Relieve the same number of Genl Debores to morrow morning at Genl Sullivans Old Quarters.

Parole Manchester Countersign { Milton / Medford }

REGIMENTAL ORDERS June 29th 1777.

Proceedings of a Regimental Court Martial held at Lincoln Hill by order of Col. David Hall, for the trial of Sundry

Prisoners Belonging to the Delaware Regiment Whereof Capt. Nathaniel Mitchel is president.

Lt. Corse, Lt. MKennon } members { Lt. Queenoucalt, Ens. Skillington.

Serjt Johnston Confin'd by Col. Hall for Insolence and Breach of Orders;

The Prisoner Being brought before the Court Pleads Ignorance and Saith that being rais'd from his Sleep he was Quite Stupified and knew not to whom he Spoak neither what he Said.

The Court after due Consideration of the Nature of the offence are of opinion, that he Should ask Pardon for his offence, and be Reprimanded by the Col.

Serjt Stenson Confin'd by Majr Vaughen for Insolence and breach of orders.

The Prisoner being brought Before the Court pleads not Guilty. EVIDENCE — Major Vaughen being Duely Sworn Deposeth, that as he was Walking by the QrMaster & the prisoner, he heard the Prisoner Say, after the QrMaster had ordered him to make a provision Return; that he thought there was no Necessity of making one as he has already given in one, & likewise when the Major ordered him to go immedietly & make one he went away Grumbling And Saying that it was better not to be a Serjt in this Regt then be one, upon which the Major Ask'd him what he Said he turning Short about Said thats what I Say repeating what he Said before.

EVIDENCE—QrMaster Trussum being Duely Sworn deposeth and Says the same against the Prisoner as the Major except that he Absolutely refus'd to make out A Return when order'd.

The Prisoner in his Defence saith that he did not Absolutely Refuse to make out A Return but that he Told the QrMaster that he had already made out one and Delivered it him the Day before.

The Court after Due Consideration of the Offence, do Sentence him to be reduced to the Rank And Serve as A Private Centinel.

Patrick Davis A Soldier in Capt. Learmoths Compy Confin'd by Lt. Morris of the 7th Maryland Regt for Behaving in an Insolent manner to him.

The Prisoner Pleads not guilty. EVIDENCE—Lt. Morris being Duely Sworn Deposeth that the prisoner Came up to their Baggage waggons, & took gun & immedietly hallow'd out that the Centry was asleep upon hearing this he went to the waggons & Saw the Centry at the other Side of the Waggon doing his Duty, he order'd the Prisoner to go to his Regt or else he would Confine him, at which the Prisoner told him he might do his worst, for he did not Regard him, upon which he Confin'd him.

EVIDENCE — Edward Murray A Soldier in 7th M. Regt Being duely Sworn deposeth, that when the prisoner was in Confinement & going to the guard house he Damm'd the Off. that Confin'd him for A son of a Bitch & Said if he was at Liberty, he Could knock fifty Such down the hill.

The Prisoner although he pleads not guilty yet Can make no Defence for himself.

The Court order him 100 Lashes on the bare Back well laid on by the Drummers of the Regt.

The Sentence is approv'd off and order'd to be put in execution to morrow evening on the parade.

DAVID HALL
Col. DR.

Middle Brook Head Quarters 30th June 1777

Genl Orders

Major Genl for to morrow Sullivan.

Brigadier Debore, Field Offs Cols. Matthews & Willis Brigade Major Mullen, A Special Court Martial to set tomorrow morning at 9 OClock at the Usual Quarters, for the trial of Major Stewart of 2nd M. Regt. Col. David Hall is appointed president of this Court All Commissioned Offs who have in their Corps any non Commissioned Offs or Soldiers orriginally Inlisted in the Regt lately Commissioned by Col. Smallwood are on Demand to Deliver them to Col. Stone who now Commands the Same Regt upon his making it appear that they were so inlisted. A Large Horesmans tent mark'd I. H. Stone first M. Regt together with 4 Common tents, taken from a Waggon on the march from Quible Town and put into another, whoever has them are to send them to Col. Stone without Delay.

Division Orders.

Adjt. for the Day tomorrow from Genl Smalwood's Brigade, the Picquet as Usual, Major Powell to attend at Head Quarters tomorrow for orders, & for the Parole & Countersign and Leave them at Genl Sullivan's Quarters An orderly Sergt from each Brigade to attend dailey. A Return of the Brigade to be made immetietly.

Lincoln Mountain July 1st 1777

Regimental Orders

That an Off. of each Company constantly attend the Drawing of Provisions for their Respective Companies and take Care that no unsound Provision be delivered to them.

That George Reynolds is appointed to act as Qr Maters Serjeant to the Regt & to be obeyed as Such.

That the Weomen belonging to the Regt be paraded tomorrow morning & to undergo an Examination from the Serjeon of the Regt at his tent, except those that are married, & the husbands of those to undergo said examination in their Stead, all those that do not attent to be immedietly Drum'd out of the Regt.

Lincoln Mountain July 2nd 1777

Division Orders

Field Off. of the Day tomorrow from Col. Stone.
Brigade, Adjt. of the Day from Genl Debores Brigade.

All the Troops to hold themsleves in Readiness to march at a moments Warning, the Troops to Draw 3 Days Provisions, one of which at least must be cook'd.

The Soldiers who are not Compleat with Ammunition are to draw it immedietly, the QR Masters & Commissaries to have their waggons in Readiness to move their Stores at A Moments Warning. The Brigade Majrs to take orders at Head Quarters in Rotation.

Middle Brook Head Quarters 2nd July 1777

Major Genl for tomorrow...Lord Sterling.
Brigadier Genl do ...Woolford.
Field Offs .....Lt. Col. Palmer Majr Byard.
Brigade Major .....Day.

Lincoln Mountain 2nd July 1777

Proceedings of A Regimental Court Martial of the Delaware Regt held by order of Col. David Hall this day.

Capt. John Patten President.

Lt. Duff, Ens. MClean } members { Ens. Hosman, Ens. Skillington

Abram Meers of Capt. Kirkwood's Compy of Sd Regt brought before the Court, for Stricking and abusing A Drummer for doing his Duty Prisoner Pleads not guilty. EVIDENCE —Thos. Clark Drummer being duely Sworn deposeth & Saith, that he went into the tent where the prisoner was at Breakfast with whome he mest the prisoner ask'd him if he did not want some Breakfast he Replied yes & thank him too, the Prisoner then said he did not Deserve any for whiping A man so hard & farther Said if he ever whip'd him so hard, and he met him in a bye place, he would give him A knock that he would not be aware of, & after abusing him gave the Deponent a stroake in the Side which almost Deprived him of his breath. Thomas Tool at the Request of the Prisoner being called before the Court & duly qualified, sayeth that the afores'd Thos. Clark went into the Prisoners Tent, & the Prisoner asked him if he did not want some Victuals upon which the said Clark answer'd Yes on which the Prisoner said are you not a Man that meses by your self, if so go & get your own Victuals to eat, upon which the said Clark made up of very provoking Language to the Prisoner, the Prisoner said he did not know how to whip or else he would not have abus'd the man so that he whipp'd yesterday the Drummer answer'd, he was oblig'd to do his Duty & that perhaps some day or other he might fall into his hands & then he would know whether he understood whipping or not.

Christopher Willet at the request of the Prisoner being brought before the Court and duely Qualified Saieth that he was imployed in cutting up meat in order to Cook, when Clark came in to the tent, & that the prisoner bantred him about his whiping & told him to be more moderate in whiping & not to whip as if he was in A passion or else he would get the ill will of the whole Compy upon which the Drummer seem'd to be angry but the Deponent says he could not Recollect the words the Drummer Said.

Charles Hamelton A Corporal in Capt. Kirkwood's Compy at the request of the Prisoner being brought before the Court & Sworn, sayeth being at the Prisoners tent doore heard the Drummer and Prisoner using Reproachfull language to each other he likewise saieth he heard the Drummer daring the Prisoner to Strike him.

The Court having Duely Considered the evidence for and against the prisoner are of opinion that he is guilty of a breach of the first Article of War, Sect. 7th & do Sentence him to ask pardon of the party offended in the Presence of his Commanding Off.

Patrick Davis a Soldier in Capt. Learmonths Compy Confin'd by Adjt. Lucas for a buseing Serjt Jordan in his duty, Pleads not guilty; Serjt Jordan Being Brought before the Court & duely Qualified deposeth & Saieth, that the Prisoner yesterday Evening ask'd him for a Screw to Draw his Load, the Deponent told him to go to the Serjts tent where he would get one out of his Catridge box, upon which the prisoner went & ask'd for the Screw but not getting it immedietly he Call'd for the Deponent to come & get it for him & abus'd him, saying if he did not come & get it for him he would fire off the Load, upon which the Sd Jordan told him if he would fire his gun off it would be nothing to him, but that the punishment would

fall on himself, the Prisoner Came like wise this morning to Serjts Jordan's tent where he was making out a Provision Return, and ask'd him if he had Return'd him fit for Duty, upon which Serjt Jordan told him he had by order of Lt. MKennon the prisoner Replied if he (the Sd Jordan) had receiv'd what he had he would not be fit for duty & abused him; the Serjt Desir'd him to go off peaceably; the Prisoner threatened to Shake him, & the Adjt. overhearing him ordered that he Should be Confin'd Serjt Cox of Capt. Learmonths Compy being Duely Sworn Sayeth that the prisoner having asked Serjt Jordan if he had Returned him fit for Duty the Serjt Replied Yes, upon which the Prisoner us'd Reproachfull words to him after he had Desired him to go to his tent & make no Desturbance.

The Court having Duely Considered the Evidence are of opinion that he is guilty of A Breach of the 5th Article of War 18th Sect. & do sentence him to receive 50 Lashes on the bare back well laid on with the Cat o' nine tails.

The Sentence is Approv'd off and order'd to be put in execution to morrow evening on the parade.

DAVID HALL
Col. DR.

BRIGADE ORDERS HEAD QUARTERS July 4th 1777

The troops of Genl Smallwoods Brigade to Refresh themselves have their Cloath's wash'd and provisions Cook'd.

A Genl Return to be made tomorrow morning by 8 OClock that Buckets &c. may be Drawn for each Regt also the number of Arms wanting and Canteens, also all the Baggage Horses to be Shod to morrow, to expediate which each Regt

will order their Smiths to parade & be Ready to go to work early in the morning, each Regt will furnish waggons, & their QRMaster to go to Morristown for what ever may be wanting.

Regimental Orders July 5th 1777

The Offs of the Regt are once more Requested to attend morning and evening Parade, and an Off. of each Compy to attend whilst the Sert calls over the Roll & to see that none of the men are absent it is expected that no off. signs A report of his Compy without first examining of it.

Within 6 Miles of Pompton 5th July 1777

Brigade Orders

Col. Gunby's Regt to take the front Delaware next 1st Maryland Regt next, 3rd M. Regt in the Rear the front to march verry slow, the Artilery in front, the Baggage in ye Rear, the Baggage Waggons of each Regt to follow agreeable to orders of March, 1 C, 2 S, 2 C, 20 P as a Rear Guard, the Off. Commanding these, is not to Suffer any Soldier to Straggle or Stay behind, and Soldier Staying unnecessarily will be confin'd and punished, no Off. to Quit his Division without Leave from commanding Off. of ye Compy at every Convenient place the Brigade will be halted to get water, so that it will prevent the Soldiers much fatigue & prevent their staying in the rear & doing great damage to the inhabitants if they are kept with their Regt the waggons to be Loaded Immedietly.

to Morristown from Lincoln hill is 18 Miles from thence to pompton 12 Miles which was our next march.

HEAD QUARTERS Pompton July 6th.

Division Orders

Field Off. of the Day tomorrow from Genl. Debores Brigade, Field Off. of the Bouns to night from Col. Stones, Adjt. of the Day tomorrow from Genl. Debores; A Special Court Martial Sit to morrow, to try Such Offs as are under arrest in the Division.

1 S, 2 L, 2 C, 20 P to be posted as A Picquet on the Road Leading to Haverstraw—1 S, 2 L, 2 C, 20 P to be posted as A Picquet leading to Rivers—1 S, 2 L, 2 C, 20 P to be posted as A Picquet from the Brigade the Troops Came over —1 S, 1 C, 8 P order'd as A guard to the Amunition the Detail is as follows.

From Genl. De Bores Brigade 1 S, 3 L, 3 C, 42 P from
Col. Stones do. 2 " 4 " 4 " 26
3 " 7 " 7 " 68

A Main guard to be established to morrow morning to Consist of 1 S, 1 L, 1 C, 22 P from Genl. Debores Brigade.

1 " 1 " 1 " 14 from Col. Stones do.

The Brigade Majors to meet in the morning to fix A proper place for the guard house where the Main guard is established, its to furnish the Necessary guard for the amunition, the Picquet to be continued in the same manner or as Above Described until further orders.

Col. Price is appointed of the Court, Martial which is to sit tomorrow morning, the Court to meet at 9 OClock.

2 Capts, 2 Subs. from Genl. DeBores Brigade
3 do. 3 do. from Genl. Smallwoods do. } to sit as members of this Court Martial.

HEAD QUARTERS July 6th 1777

Division Orders

Field Off. of the Day to morrow from Col. Stones Brigade
Adjt of the Day to morrow from ..... do. .....

The Commanding off. of each Regt are to be punctual in Sending in their Returns of their Respective Brigades from which the Brigadeers are to send A Weekly Return to the Majr Genl of the Division every Saturday. A Forrage guard Consisting of 1 S, 1 C, 12 P to be taken in Rotation from the two Brigades, the Serjt to apply to Majr Sherriff for orders.

AFTER ORDERS

A Court of Inquiry to Sit this afternoon at 5 OClock to Inquire into the Conduct of the Surjeons of the Genl Hospital Respecting the Reception of the Sick of this Division. Col. Gunby President.

3 Capts, 3 Subs. from Genl Debores Brigade } to sit as
3 do. 3 do. from Genl. Smallwoods do. } members.

HEAD QUARTERS Princeton July 7th 1777

Division Orders

Field Off. of the Day tomorrow from Genl. De Bores Brigade.

Adjt of the Day from Genl. De Bores Brigade.

Twelve hunderd Men well Officer'd to be selected from the two Brigades with Six Days provisions & to hold themselves in Readiness to march at a moments warning, they are to take with them only their Knapsackes and Blankets, the Commanding Off. to See that their arms & Accoutriments are in good order, two Days Provisions to be Cook'd immedietly.

HEAD QUARTERS July 8th 1777

Division Orders

Field Off. of the Day tomorrow from Col. Stones Brigade.

Adjt of the Day tomorrow from Col. Stones Brigade.

The Commanding Offs of Regts are to see that Necessaries are provid'd for their Sick, & proper bills kept and presented to the Genl that he may order payment; as little Spirits remain on hand for this Division, the Commissary is not issue any more only to fatigue parties & Scouting parties till further orders, the troops to parade at 4 OClock this afternoon for Exercise.

A Genl Court Martial to Sit tomorrow morning to try such matters as may be brought before them.

Ensign James Arrested by Capt. Ridgely for neglect of Duty and Disobedience of orders, try'd by a Genl Court Martial whereof Col. Gunby was President, the Court were of opinion that Ens. James is not guilty of the charge Exhibited against him & think he ought to be Releas'd immedietly. The Genl approves the Sentence and orders him to be Released Accordingly.

Lt. Lee arrested by Majr Taylor for Disobedience of Orders the Court are of opinion that Mr. Lee is guilty of a Breach of Major Taylors Orders, & that he ought to be Reprimanded By the Commanding Off. of the Regt in presence of the Offs belonging to the Regt, the Genl approves of the Sentence and orders it to take place to morrow morning.

Lt. Erskine Arrested by Genl. De Bores, ought to be acquited from his arrest for Stricking A Waggoner, the Court having examined the evidence & finding nothing against him the Genl approves the Sentence, & orders him to be acquitted from his arrest immedietly.

It is Required that Genl DeBores Brigade Majr make a Return of the Strength of that Brigade to Head Quarters as soon as possible.

BRIGADE ORDERS July 8th 1777

Col. Stone orders each Regt in Genl Smallwood's Brigade to have Necessary houses Dug immedietly in the rear of the encampment, as near the River as possible the men to be ordered to do their occations there and no where else.

CAMP AT POMPTON July 8th 1777

Proceedings of the Regimental Court Martial held this Day By order of Col. David Hall of the Delaware Regt for the trial of Such Prisoners as may be Brought Before them. belonging to said Regt.

Cord Hazord Capt. President.

Lt. M Kennon Lt. Queenoucalt	Lt. Duff Ens. Bennett

Wm. Kelly A Soldier in Capt. Kirkwood's Compy Confin'd by Lt. Duvall of the 2nd Maryland Regt for Desobeying of Orders, & insulting said Officer.

Prisoner being brought before the Court pleads guilty; EVIDENCE—Lt. Duvall being duely Sworn Deposeth and Saieth, that the prisoner came to where he was on guard, over a bridge Beyond the Genls Quarters he was hal'd by the Centry, who would not let him pass without a permit, that the prisoner Curs'd & Swore, & used verry insulting Language to the Said Off., & would not Return when he bid him, upon which he Confin'd him.

The Court having duely consider'd the Evidence do find the prisoner guilty of A breach of the 5th Article of the 7th Section and do Sentence him to Receive 100 Lashes on the Bare back, well laid on by the Drummers of the Regt.

CORD HAZORD
Capt. President

The Sentence is approve'd off and order'd to be put in Execution tomorrow evening at guard Mounting.

DAVID HALL
Col. D R.

HEAD QUARTERS Pompton 9th July

Division Orders

The Division to be in Readiness to strike their tents, pack up their Baggage, and to march at A moments Warning for Peaks Kiln Genl Debores Brigade to march in front, proceeded by the Light horse an advance guard and the artilery, the Baggage of the Brigade to them Col. Stones advance Guard is to follow, then his artilery, then his Brigade, after which the Baggage, the rear guard of each Brigade is to Consist 1 Capt. & fifty men attended by 4 light horse, they are by no means to Suffer any officer or Soldier to straggle from the Brigade, or fall in the rear, when the Division is on the march if any accident Should befall the Waggons, or any of them, A Lighthorseman is to be Despached to the front to Desire a halt till the Waggons are Repaired, if any person is sick or lame on the road he is not to fall back without A permit from his Officer any Soldier found from his Division without permit in writing, is to Receive 39 lashes on the Spot, and Off. and Six light Horsemen to be sent to Col. Stone four of which to be with the Rear Guard; the Division to halt every 4 or 5 miles that the men

From pompton to the Clove being a vally Containing about 20 Acres of tillable Land is 14 Miles.

may have an oppertunity to refresh, the Commanders of Brigade to Correspond with each other & agree upon the best place of halting, & the time for Beginning the march, the Sick of the Division to be left under the Care of an Off., A Surjeon and Surjeons mate, in the most Convenient place about Pompton, who are to provide necessaries for them, the Surjeon & mates of the Division to Draw for persons to remain with the sick, the Commanders of the Brigade to agree upon an Off. the Sick to be sent forwards to Peaks Kiln as soon as able to march.

Camp at Clove between 2 Mountains New York Govermen
11th July 77

Brigade Orders

Weekly Returns to be made out this Day, & Delivered to Majr Powell this evening or early tomorrow morning; no rails to be Burnt or Destroy'd any non Commissioned Off. or Soldier Offending by Destroying any property belonging to the Inhabitants may depend upon being Severly punished, A Camp Guard of 1 S, 2 L, 2 C, 18 P to be Immediatly established, proper guards to be placed on the front and left of the encampment to prevent the Soldiers from Destroying Rails &c. the Off. is to give positive orders to the Sentinals to Confine every Soldier, who may be Destroying any kind of property, the Waggon Master is positively order'd to provide forrage for the Horses immedietly, and see that they are pastur'd in the publick pastures, which he has much neglected, each Regt Will sent out a Fatugue party to cut wood for their Regiments.

N. B: This Clove is 18 Miles from ye Peaks Kiln.

July 11th 1777

Proceedings of A General Court Martial.

Lt. M Callaster of the 1st Maryland Regt tried for Leaving his Guard on the Haverstraw Road, The Court finds him guilty of the Crime alledg'd Against him & Sentence him to be Reprimanded by Col. Stone in the presence of the Offs of the Regt, to which he belongs, the Genl Approves the Sentence and orders it to be put in execution tomorrow morning at 8 OClock.

Capt. De Vernesure of the Light Horse tried by a Genl Court Martial for Disobedience of orders and insulting Col. Stone in the Execution of his Duty, The Court finds him guilty of Insulting Col. Stone and Sentence him to ask Col. Stones pardon, the Genl Approves the Sentence & orders it to be put in Execution tomorrow morning at 8 OClock.

July 12th 1777

This Day there was a Women Duct and Drum'd out of our Encampment; For giving the men the Venerial Disorder.

In Congress Sept. 16th 1777

Resolved that Eighty eight Battallions be enlisted as soon as possible to Serve During the War, and that each State furnish their respective Quotas in the following proportions viz.

New Hampshire	3	Batallions
Maschuesetts Bay	15	do
Rhode Island	2	do
Connecticut	8	do

New York	4	do
New Jersey	4	do
Pensylvania	12	do
Delaware	1	do
Maryland	8	do
Virginia	15	do
North Carolina	9	do
South Carolina	6	do
Georgia	1	do
Total	88	

That 20 Dollars be given as A bounty to each non Commissioned Officer and Private Soldier, who shall Inlist During the War, unless sooner Discharged By Congress; That Congress make provision for granting Lands in the following proportions to the Offs and Soldiers who Shall so ingage in the Service & Continue therein to the Close of the War, or until Descharg'd by Congress, & to the Representatives of Such Offs and Soldiers as Shall be Slain by the Enemy; Such Lands to be provided by the United States and Whatever expense Shall be Necessary to procure Such Lands, the Said expence shall be paid and Borne by the States in the same proportion as the other Expense of the War.

To A Colonel	500	Acres
A Lt. Col.	450	do
A Major	400	do
A Captain	300	do
A Lieutenant	200	do
An Ensign	150	do
Each non Commissioned Officer & Soldier	100	do

That Appointment of all officers & filling up Vacancies (except Genl Offs) be left to the Governments of the several States and that every State provide Arms, Cloathing and every Necessary for its Quota of Troops According to the foregoing estimate, the expense of the Cloathing to be Deducted from the pay of the Soldiers as usual.

That all Offs be Commissioned by Congress That it be Recommended to the Several States that they take the most Speedy and effectual measures for enlisting their Several Quotas, that the money to be given for Bounties to be paid by the Paymaster in the Department where the Soldiers Shall inlist.

That each Soldier Receive pay and Subsistance from the time of their Enlistment.

September 18th 1776

Resolved, that if the Rations be Received by the Officers or privates in the Continintal Army in money, they be paid at the rate of Eight Ninetieth part of a Dollar pr. Ration. That the Bounty and grants of land, Offered by Congress by a Resolution of ye 16th inst. as an encouragement to the Offs and Soldiers to engage to serve in the Army of the United States during the War, Shall extend to all who are or Shall be enlisted for that term, the Bounty of ten Dollars which any of the Soldiers have Received from the Continent on an account of a former enlistment, to be Reckoned in part payment of ye twenty Dollars Offered by Said Resolution:

That no Off. in the Continintal Army is allowed to hold more than one Commission.

September 19th 1776

That the Adjts of the Regts in the Continintal Army Be allowed the pay and Rations of Captains, and have the rank of first Lieutenants.

In order to prevent the Offs and Soldiers Who shall be entitled to the Lands hereafter to be granted By the Resolution of Congress of the 16th inst, from Desposing of the Same During the War.

Resolved that this Congress will not grant Lands to any person or persons Claiming under the Assignment of an Officer or Soldier.

By Order of the Congress.

Signed JOHN HANCOCK
President

HEAD QUARTERS Ramapaugh Clove July 12th 1777

Parole Putman C: Sign M Dugall.

Those Regts who are in want of Shoes, are to have an Off. Sent to Morristown to procure them as soon as may be, and any other Articles are to be immedietly applied for, that no Delay may happen when orders are given to March.

The Court Martial Whereof Col. Price is President to Sit tomorrow at 9 OClock to try Such Prisoners as may be Brought Before them.

The Commissary to Deliver out one Gill of Rum this Day to each man in this Division.

COUNTREY MEN, and fellow Soldiers.

When I Consider the Cause, for which we have Drawn our Swords, and the Necessaty of Striking an effectual Blow, before we Sheath them again, I feel Joifull hopes arising In my mind, that in one day an opening Shall be made for the Restoration of American Liberty, and for shaking off the Infamous Yoke of British Slavery.

AMERICA is yet free, the all grasping power of Briton has not yet been Able to seize our Liberty, but it is only by Valor. As it is by Arms, that the brave Acquire Immortal fame, so it is by arms, that the sordid must defend their lives & Properties, or lose them. We are the verry men, my friends, who have hitherto set bounds to the Unmeasureable Ambition of the Britons.

In Consequence of our Inhabiting the more inaccessable parts of the Continent, to which the Shores of those Countries on the Continent are enslaved by the Britons are Invisible, We have hitherto been free from the Common Disgrace, and the Common Sufferings, We lay almost out of the Reach of fame itself. But We must not expect to enjoy this untroubled Security any longer, unless we Bestir our Selves so effectually, as to put it out of the power of the Enemy to Search out our Retreats, and Desturb our Repose. If we do not curiosity alone will Set them a Prying, and they will conclude, that there is Some what worth the Labour of Conquering, in the Interior parts of the Continent, merely because they have never Seen them. What is little known if often Coveted, because so little known. And We are not to expect, that we should escape the Ravage of the General Plunderers of mankind; by any Sentiment of Moderation in them, When Provinces, which are more Accessable, come to be Subdued, they will then force their way into those, which are harder to come at. For We See, that if A Country is thought to be powerfull in arms, the Britons attact it, Because the conquest will be Glorious; if Inconsiderable in the Military Art, Because the Victory will be easey; if Rich, they are drawn thither by the hope of plunder; if poore by the desire of fame. The East and the West, the South and the North, the face of the whole earth, is the Scene of their Military Atchievements; the World is too little

for their ambition, & their Avarice. They are the only Nation ever known to be equally desirous of Conquering a poor kingdom as A Rich one. Their Supreme Joy Seems to be Ravageing, fighting, and Shedding of blood; and when they have unpeopled a Region, so that there are none Left alive able to bear arms, they Say, they have given peace to that Country. Nature itself has pecularly endeared to all men, their Wives and their Children. But it is known to you my Countrymen that here to fore Our Young Men were daily Draughted off to supply the Deficiencies in the British Army. The Wives, the Sisters, and the Doughters of the Conquered are either exposed to their Violence, or at least Corrupted by the arts of these Cruel Spoilers. The Fruits of our Industry are plundered, to make up the taxes imposed on us by oppressive Averrice. AMERICANS Sow their fields; and the greedy Britons Reap them. Our verry bodies are worn out in carrying on their Military Works; and our toils are Rewarded by them with abuse and Stripes. Those, who are born to Slavery, are bought and Maintained by their master. But this Happy Continent will pay for being enslaved, and feed those who enslave it. And our Portion of Disgrace will be the Bitterest, as the Inhabitants of America are the last, who have fallen under the galling yoke. Our native bent against tyrany is the Offence, which most sensibly irritates those Lordly Usurpers. Our Distance from the Seat of Goverment, and our natural Defence, by the Ocean render us obnoxious to their Suspicions; for the know that the Americans are born with an instinctive love of liberty; and they Conclude, that we must be naturaly led to think of taking the advantage of our Situation, to Disengage ourselves, one time or other from their oppressions.

Thus, my Countrymen and fellow Soldiers, suspected and hated, as we ever must be by the Britons, there is no prospect

of our enjoying even a tolerable State of Bondage under them. Let us, then, in the name of all that is Sacred, & in defence of all that is dear to us, resolve to exert our Selves, if not for Glory, at least for Safety; if not in vindication of American honor, at least in Defence of our lives. How near were the Brigatines to shaking off the Yoke—led on too by a Women; they burnt A Roman Settlement; they attacked the Dreaded Roman Legions in their Camp had not their partial Success drawn them into a fatal security, the business was done. And shall not We, of the United States Whose territories are yet free, & whose Strength entire, Shall we not, my fellow Soldiers, attempt Some what, which may shew them foreign Ravagers, that they have more to do, than they think of, before they be masters of the whole Continent.

The Brigantines, according to Ptolemy, inhabited what is now called Yorkshire the Bishopwick of Durham, &c.

But after all, who are these mighty Britons; are they Gods; or Mortal men, like ourselves; Do we not see, that they fall into the same errors, and Weaknesses, as others; does not peace effiminate them; Does not abundance Debauch them; Does not Wantoness enervate them; Do they not even go to excess in the most unmanly vices and can you imagine, that they who are Remarkable for their Valor; What then do we Dread; Shall I tell you the verry truth, my fellow Soldiers; It is by means of our intestine Divisions, that the English have gained so great advantages over us. They turn the mismanagement of their enemies to their own praise. They boast of what they have done, & say nothing of what we might have done, had we been so wise as to Unite against them. What is this formidable British Army. Is it not Composed of a Mixture of People from Defferent Countries; some more, some less; disposed to Military Atcheivements; some more, some

less Capable of bearing fatigue and Hardship. They keep to gether, while they are Successful. Attack them with Vigor Distress them; you will see them move Desunited among themselves, that we are now. Can any one Imagine that English, Irish, Hessians Hanoverians and with Shame I must add Americans, who basely lend, for a time, their limbs, and their lives, to build up a Forreign tyrany; can one imagine that these Will not be longer Enemies, than Slaves; or that Such an army is held together by Sentiments of fidelity or affection; No; the only body of union among them is fear. And whenever terror ceases to work upon the minds of that mixed Multitude, they who now fear, will then hate, their tyranical Master, On our side there is every possible excitement to valour, the British Courage is not as ours, In flamed by the thoughts of Wives and children in danger of falling into the hands of the Enemy. They have no parents as we have to reproach them, if they Should Desert their infirm old age, They have no Country here to fight for. They are a Motley Collection of Forreigners, in a Land wholly unknown to them, cut off from their Native Country, hemmed in by the Surrounding Ocean and given I hope a prey into our hands, without all possibility of escape. Let not the Sound of the British name affright your ears. Nor let the glare of gold or silver, upon their Armour, dazzel your eyes, It is not by gold, or Silver, that men are either Wounded or Defended; though they are Rendered a Richer Prey to the Conquerers. Let us boldly attact this desunited Rabble. We shall find among them selves a Reinforcement to our army. The Irish, who are incorporated into their forces, will through shame of their Country's Cause Deserted by them, Quickly leave the English, and Come over to us. The Scotch Remembering their former Liberty, and that it was the English who deprived them of it,

will forsake their tyrants, and join the assertors of Freedom. The Hessians who Remain in their army will follow the example of their Countrymen. And what will there then be to fear. On our Side, an Army united in the Cause of their Country, their Wives their Childres, their Aged Parents, their Liberties, their lives, at the head of this army I hope I do not offend against Modesty in Saying, there is a general Ready to exert all his Abilities, and to Hazard his life in Leading us to Victory, and to freedom.

I Conclude, my Countrymen and Fellow Soldiers, with puting you in mind, that on your Beheavour Depends your future enjoyment of peace and liberty, or your Subjection to a Tyranical Enemy, with all its Griveous Consequences. When therefore, you Come to engage—think of your Ancestors—& think of your posterity.

HEAD QUARTERS Ramapaugh Clove 13th July 1777

Division Orders

The following orders of march to be observed by the Division on their march to New Windsor, the first day the Brigade Commanded by Col. Stone to march in front, having his Baggage in the Rear, the Same Advance and Rear Guards of Horse and foot as Specified in the last marching orders, the Baggage in Genls DeBores Brigade to follow the Rear guard of Col. Stones Brigade; which is to be followed by Genl De Bores Brigade, he is to have the Same advanc'd & Rear Guards of Horse & foot as Specified in the last marching orders, & the same orders, Respecting the Halting & Refreshing the men, & to prevent their Straggling is to be observed, the Artilery of Col. Stones to march between his Advanced guard & Brigade, that of Genl DeBores, to march Between his Rear guard &

main body, the Second Day Genl De Bores to march in front with his Baggage, and Col. Stone with his in the Rear, keeping up the Same order of march as to guards, Artilery, Baggage, and Troops, only changeing the front Brigade with the Artilery, Baggage &c. to the Rear, & the Rear to the front Alternately.

The whole Division to be in Readiness to march as soon as the Weather will permit.

After Orders 13th July 1777

Returns of the Sick in Camp to be made immedietly that proper Offs may be appointed to see them Convey'd to Pompton, each Regt to have two Days Provisions immedietly Cook'd for tomorrow and next day, the arms to be Cleaned, immedietly & put in the best order for Action.

Camp at Newborough 16th July 1777

Regimental Orders

That a Court Martial be held immedietly for the Trial of Such Prisoners as may be brought before them, the Court to Consist of: Capt. Hazzard President.

Lt. Quenouault, Ens. Bennet } members { Lt. Jordan, Ens. Kidd

Sign'd David Hall Col. DR

Proceedings of the above Court.

Ellis Flowers of Capt. Hazzard Compy Confin'd by order of Majr Vaughen for Deserting twice.

The Prisoner being Brought before the Court, Saith that being Inlisted when in Liquor; & having had liberty to go for his Cloaths, and being over persuaded by several of his ac-

quaintance who lived in Carlisle County was the Cause of his Deserting, and that, he was unacquainted with the Consequences of Deserting.

The Court find the Prisoner guilty of a Breach of ye 1st Article of the 6 Section & do Sentence him to Receive 100 Lashes on his bare back well Laid on and Stoppage to be made out of his pay, till the expences for taking him up are paid.

James Addams of Capt. Pattens Company Confin'd by said Capt. for leaving his guard at Philada.

Evidence—Serjt Davis of Capt. Hollands Compy being duely Sworn, Deposeth that the prisoner was on guard with him at Philadelphia, & that two days Before they were to march from thence, Strict orders were issued that no Soldier Should leave his post, that the prisoner informed some of the guard, that he wanted to go and have his fire lock chang'd, that he and another soldier went, the other Returned, but the Prisoner did not, that he had not seen him since till this day then he Confin'd him by order of Capt. Patten.

Prisoner Saith on his Defence that he went to see a friend in Tun Alley, was taken sick there & that Before he was able to march the guard was gone that he took A passage in a Wilmington boat, and applied to Lt. Purvis there, that he was Desirious to join his Compy but the Lt. told him A Detachment was going to Camp and that he might Stay and go with them that he had Liberty to go and see his Wife, & returned at the time limited him, was Sick there at his Return three Days, and that he did several services there as ordered him by Lt. Purvis.

The Court having duely Considered the evidence and the Prisoner Defence, do find him guilty of a Breach of the 2nd Article of the 6th Section and do Sentence him to receive 100 Lashes on his bare back well laid on.

18 miles Tuesday 15th march'd to Newborough being 15 Miles, from thence 3 miles further up the North River then to New Windsor and opposite to Fish Kiln ferry.

The Commanding Off. Approves the Sentence & orders it to be put in exceution this afternoone when the Regiment Parades.

DAVID HALL
Col. DR

HEAD QUARTERS New borough 16th July 1777

Division Orders

The Genl Court Martial Where of Col. Price is president to sit to morrow at Sun Rise, on the other side the North River to try Lt. Seymour, & the QR Master of Capt. De Vernegour's troop of Horse Jas M Mullen alias King alias Cain McMullen confin'd on Suspicion of being an Enemy to America by Majr Powell try'd by a Genl Court Martial Whereof Col. President, the Court are of opinion that he is not guilty of the Charge, the Genl approves the Sentence and orders him to be released.

Phillip McDonald Corporal & Dennis McCalahan Private try'd by the Same Court martial for Desertion; the Court are of opinion that they are guilty of the Charge; & having Designed by sold their arms &c. and do Sentence the Corporal to be Reduced to a private Sentinal, and each to Receive 200 Lashes on the bare back well laid on, the Genl Approves the Sentence and orders it to take place to morrow at 6 OClock; Joseph Wood A Private try'd by the same Court for Stealing nine Stamp'd Handkfs, the Court are of opinion he is guilty of the theift, & do Sentence him to Receive 150 Lashes on his bare back will laid on, the Genl Approves the Sentence and orders it to take place to morrow at 6 OClock.

Col. Stone immedietly to supply the Commissary with Butchers.

After Orders 16th 1777

The Qr. Master & Adjutants of each Regt immedietly to make out returns to Head Quarters of the Number of men and tents on hand & the number wanting to Compleat.

Lost the 15th Instant in or near the Encampment of this Division A Red morocco pocket book Containing one 30 Dollar bill, some small bills & some Accounts, which will be useless to any person except the owner, if any person has found Said book, & will Return it to Majr Morris A.D.C. or any of the Brigade Majors so as the owner may have it again, shall have 20 Dollars Reward from Andrew Taylor Deputy QR M Genl.

Wednesday 16th Inst.

A Women duck'd belonging to this Division for stealing & Insolence.

Thursday 17th

Our Brigade Cross'd the North River to Fish Kiln Landing about one mile, & from thence to Fish Kiln Town 5 Miles Distance from Sd Landing where we Encamp'd in an Orchard.

Head Quarters Fish Kiln's in Dutchess County

New York State 18th July 1777

Division Orders

A trusty Serjt. and 12 men to be Draughted from each Regt of the Division who are to act as Pioneers & to be Severally furnished with 4 handsaws, & 8 axes and that each Brigade of the Division be furnished with one Grindstone for the purpose

of keeping their Tools in proper order Lt. Seymour of the light Dragoons tried by a Genl Court Martial for Saying (when Capt. De Vandejour ordered him to see the mens Accoutriments was in good order) that it was the Business of the Serjeants & Corporals, the Court are of opinion unanimously that Lt. Seymour be Released with Honor from his Arrest & Join his troops the Genl approving the Sentence, at the same time Requests that Officers in future will be more Carefull of arresting others without a sufficient Cause, as such Conduct will be Attended with Serious Consequence the Commanding Officers of Regts to examine into the Amunition of the men and Compleat them to 24 Rounds Pr man.

1 Capt., 2 Subt., 2 Serjts, 2 Corpls, 1 Drum, 1 Fife & 50 Privates to be Stationed as A Picquet at the forks of the Road Leading to the Ferry & New York as the Genl expects to move tomorrow he Desires the Division to hold themselves in Readiness for that purpose, and Draw three Days Provisions immedietly. A Main guard to Consist of 1 C, 1 S, 2 C, 24 P who are to Collect and take care of all prisoners from Quarter Guards of Regts who come within cognizance of a Genl Court Martial; Field Officer of the Day from Genl De Bores Brigade Adjutant of the Day from the same.

Those QR. Masters who have not made out their Returns for tents to make them immedietly to Col. Sherriff D Qr. Mr. General. Phillip McDonald being try'd by a Genl Court Martial & to Receive 200 Lashes, the Genl at the Request of Col. Antill & some Faivourable Circumstances having appeared in his faivour from steady adherance to his Duty remits the Sentence as an Encouragement to others to behave equally well, & orders him to be Restored to his Rank & dismis'd from his guard.

HEAD QUARTERS Fish Kiln 19th July.

Division Orders

The Several Paymasters immedietly to make out their abstracts & have them properly examined that the troops may Draw their pay as soon as possible, Should they not be able to Draw it on this Side the River, they will apply to Head Quarters for it.

Field Officer of the Day to morrow from Col. Stones Brigade. The Adjutant of the Day from ye same.

The Picquets at the forks of the Road to be properly Releived.

CAMP AT FISH KILN 19th July 1777

Regimental Orders

That A Court Martial be held immedietly for the tryal of Such Prisoners as may be brought before them, the Court to Consist of Capt. Nathaniel Mitchel President.

Lt. John Wilson, Lt. James Bratton } members { Lt. M Kennon, Ens. Skillington

Proceedings of the Court:

John Pemberton of Capt. Kirkwood's Company Confin'd by Ens. Truelock on Suspicion of Stealing A Watch; Prisoner being brought before the Court Pleads not guilty. EVIDENCE —John Chambers being duely Sworn deposeth that when he was in the Barracks at Philada the Prisoner came frequently to his Room to see some of his Acquaintance who were there, and Seeing a Watch hanging up in the Room, the Prisoner ask'd him whose Watch that was, upon which he Reply'd that it belong'd to Joseph Purdie a Drummer in Capt. Henery's Compy, the Prisoner then asked him if he knew whether or not Purdie

would Sell it, he answer'd he believed he would, the Prisoner took down the watch & opened her he farther Saith that from that time since he has never seen the Watch. EVIDENCE— Gregory Peirce being Duely Sworn Deposeth that in the Barracks at Philada he saw the prisoner have the watch in his hand, but whether he took her or not he Cannot Say.

Prisoner on his Defence saith he was in Liquor at the time he went into the Room in the Barracks & seeing the Watch took her down, & looked at her, and then put her up again.

The Court after, a Due Consideration of the matter before them, are of opinion that he is not guilty of the Charge laid against him, & that he should be immedietly Releas'd from his Confinement.

Natt. Mitchel President

Approved of & ordered that the Prisoner should be immedietly released from his Confinement.

DAVID HALL
Col. DR.

AFTER ORDERS 19th July 1777

The Genl Desires the Qr Master of each Regt to make A Return of Cloathing wanting, & send it by a trusty Off. tomorrow morning, this Officer is to receive A Letter from Genl Sullivan to Head Quarters where he will be supplied.

HEAD QUARTERS Fish Kiln 20th July 1777

The Genl Court Martial to sit tomorrow to try Barney M Manus of Col. Gunby's Regt, and others confin'd by Col. Antill's order on Suspicion of theft, the Division to march to morrow morning between day Break & Sun rise towards peeks

Kiln, about 12 or 15 Miles to the most Convenient ground, & there incamp till further orders The Qr Masters of Regts to make a Return of the number of Waggons belonging to each Regt to the QR Master Genl of the Division; this afternoon at 4 OClock & the QR.M Genl is to proportion the number of teams agreeable to the Regulations of Congress, and those that have neglected to make their returns to the QR. M Genl are to send them in, and Draw their tents immedietly.

Monday 21st July marched from Fish Kiln to Peeks Kiln being 18 Miles we pass'd through A Continental Village where they Informed us that 23 Horses had Died that morning Being over heated by Drawing Cannon the Day before; And encamp'd on the Brow of a hill; Westchester County. Tuesday 22nd we struck out tents and March'd 5 Miles further on the Road Leading to North Castle where we encamped on A verry stony hill. Wednesday 23 Struck our tents and march'd 4 miles further on the same Road and encamped near the fork of the Road that Leads to Danbury.

****

Head Quarters Courtlands Mannor July 23rd 1777

Division Orders

The Genl desires Offs commanding Regts and others to be verry exact in observing the orders he gave at the arival of the Division, that no Off. leave the Camp without leave from his Superior Off. & that no soldier stray beyond the Confines of the encampment without a written Licence from the Commanding Officer of the Compy he Belongs to, the Genl is sorry to observe that the orders he issued this morning, were not so Strictly observed as they ought to have been, he therefore Re-

quests that all Officers observe and see them executed with the greatest Punctuality, and to have the Offenders punished on the Spot: If any Soldier leave the encampment and are guilty of any outrages or unsoldier like behaviour, the Commanding Officer of the Compy, he or they belonging to will be Considered culpable, the Rolls to be Called at troop and Retreat beating, when if there be any absent they must be immedietly Sought for, & Confin'd for Disobedience of orders, the Soldiers to parade at all times Arm'd and accoutred.

Brigade Major for tomorrow Powell.
Adjutant for do Bartholmew.

The Picquet to be Relieved at 10 OClock.

Head Quarters July 24th 1777

Division Orders

Each Regt to Clear a Parade in front of their encampment and to clear their Streets of the Stones, which Stones must be thrown in the front of the Parade, a fatigue party from each Regt of 20 men under the QR. Mr. Serjants to dig necessary holes in the rear of the encampment, & close to the edge of the Woods; any Soldier &c. who shall be caught, doing his occations any where but in the holes dug for that purpose will be severely punished, the Camp Colour men to cover the excrements in the holes of their Respective Regiments every morning, & also take care that no filth, bones &c. be found within their Respective Districts, A Camp Colour man to be appointed to each Company, who together with the Pioneers will parade every morning when the Pioneers march beats, the Pioneer to cut wood for their Regts under the Inspection of an Officer, & fatigue parties to be sent from each Regt to bring in wood for the use of their Respective Regts.

After Orders 24th July 1777

Genl Debores orders that there be 5 Capts 10 Subs 10 Serjts 10 Corps 5 Drums, 5 Fifes & 250 Privates out of each Brigade Commanded by Genl Sullivan, to be ready to march any hour the Genl chuses to call for them, they must have their Knapsacks, Blankets, and two days Provisions, every man of them must have their Arms in good order, and have their Amunition Compleated to 24 Rounds.

Camp on a Hill Cortlands Manor 24th July 1777

Regimental Orders

The men to have their arms in good order & their Flints well fix'd in their Pieces, with lead or leather, the Serjts of each Compy to see this put in execution.

Evening Orders 22nd July near Cramp Pond. (Omitted)

John Murphy of the 2nd & Daniel Brown of the 7th Maryland Regts & Canady Bay of the Delaware Regt tried by a Genl Court Martial whereof Col. Price is president for house breaking, Stealing and Beating the Inhabitants the Court are unanimously of opinion that Murphy and Brown, are guilty of the Charge & that they should suffer Death, & therefore do Sentence them to be hanged until they are dead; The Court do Sentence Canady Bay, to Receive 50 Lashes well laid on Barney M. Manus of Col. Gunby's Regt. Tried by the same Court for Marauning and absenting himself all night from Camp, the Prisoner Confessing the Crime, the Court do Sentence him to receive 100 Lashes well Laid on; The Genl Approves the above Sentence and orders the execution of

Canady Byay and Barney M. Manus to take place to morrow at 9 OClock on the march, the time for the execution of the other two, to be made known in future order.

July 25th 1777

This Evening our Division were ordered to parade to see Jn Murphy & Daniel Brown Hanged, they being brought under the gallows the Genl granted them 3 Days longer to live.

Saturday 26th July

Struck tents and march'd to Peaks hill Landing from thence to Kings Ferry to the North River being 14 Miles and encamp'd there.

Head Quarters Kings ferry 26th July 1777

Parole Peeks Hill C Sign Ramsey.

Brigadier Genl DeBores orders that the Division by ready to Cross the North River to morrow morning at Day break the Baggage to be ready at the same time, Genl Deborres Brigade to Cross first.

His Excellency Genl Washington has ordered, that a Sufficient number of Waggons be ordered to Carry the tents, no other Baggage to be put in them, and they must not be heavy loaded, that nothing might hinder us of Arriving in time where we are to go; the Commissary will Strive all means to get hard Bread for the use of the Division on the Road. The Waggon M. Genl to order two Waggons to be ready to march in the Rear of each Brigade, to take in the Sick & the lame. The remainder of the Baggage will Stay behind the Division

under the Command of 1 C, 2 L, 2 S, 2 C, 60 P, 1 D, 1 F which each Brigade will furnish an equal number, Genl Debores to furnish 1 C, 1 L, 1 S, 1 C, 1 D, 1 F, 30 P Col. Stones 1 L, 1 S, 1 C, 30 P the Capt. that Commands will strive and bring up the Baggage in the Rear of the Division, as soon as possibly he can; His Excllency Genl Washington has wrote to Genl Debores this Day, that Several Complaints, came to him of our Division Plundering the Inhabitants as they pass, Genl DeBores begs the Superiors will order their Capts not to let any of their men out of Camp without a permit in Writing. No Women to go with the Division, they are to stay with the Baggage & none of them allowed to go on the Waggons except such Weomen, as the Capt may judge is realy Sick.

CAMP NEAR KINGS FERRY 28th July 1777

Brigade Genl Debores orders the Division will be Ready to march at 2 OClock. Col. Stones in the front two Pieces of Artilery in the front with their Baggage, and after that each one Alternately, Genl Devores Requests the former order for the Waggons may be observed, each Commander of each Regt will take Care to suffer nothing to be put into the Waggons but the tents, the Rest of the Baggage will follow after the Division the Genl also Requests all the field Officers and others of the Division to take Care that the Greatest Care be observed on the march every day that no Soldier be going before to enter into the Houses, burn the fences or Commit other abuses.

Sunday being ye 27th inst. our Division Cross'd the North River and encamped 1½ Miles from the ferry on the 28th we marched 9 Miles to A place called Cackgat on ye 27th Ult the

Revd Mr. Leonard thought to have deprived himself of his life by Cutting his throat with A Rasor but Unfortunately mist his aim; the wound was so deep that his life was much despair'd of.

Evening Orders 28th July 1777

The Genl Orders the Division will be in Readiness at Break of Day, Genl Devores Brigade will march in front with the Artilery belonging to them and their amunition and Baggage after marches. The Tent Waggons of each Brigade, and Ye Comp'y stores after them wich will be followed by Col. Stones Brigade, after that the Baggage of all the Division will follow with a guard of 60 men as Usual. Genl Debore Requires the last time, all the Field Offs and others of the Division take care that the greatest order in the march may be observ'd every Day; no Soldier to go on Before it is Strictly order'd that no Soldier go into the Houses or Barns to take straw or any other thing belong to the Inhabitants, It is like wise Strictly ordered upon pain of 50 Lashes to burn fences or any thing belonging to the Inhabitants; The straw will be Distributed Regularly to all Soldiers at every Camp they come to.

29th do.

Struck tents and march'd to A place Called Paramus 13 Miles distant from Carkgat Bergen County West Jersey.

Camp Paramus 29th July 1777

C. Sign Gunby.

By Genl Debores orders the Division will be in Readiness at Break of Day; Col. Stones Brigade to march in front the

same orders for the Waggons will be observed; the Genl Requires that the Gentlemen Offs will be exactly in the Road with their Divisions and Encamp in the order of their Compy. No Gentlemen Officers will lodge in any house Without leave from the Genl, the same Orders to be observed Respecting the Soldiers Commiting Hostilities.

30th July. Wee Struck our tents and Marched 9 Miles to A Place Called Psaic falls which place afforded two great Curiosities, the one was the Cataracks or falls which fell about 100 foot from the upper part of Sd falls to the Surface of the River; the other was A Man of 23 years of age Who Lay in a Cradle from his youth his head Being the Most Remarkable, was In my opinion, Between 22 & 24 Inshes long, his forehead about 12 Inshes broad across the Eyes with out any fall on either Side, his Body of the Common Size, his arms & hands about the Size of a Child of 7 years old, having no use of his Right arm, but Could wave the other so much as to keep the flies of his face, he had no use of his leges which was like a Child of the same age with the other he could talk both Low Dutch and english but in a verry low voice, Could Repeat the most of the Shorter Catachism by heart. from thence we Proceeded the Same Day 3 Miles Blow the Acquacanack Bridge on Sd. River in Essex County which Days march was 20 Miles.

N. B. This man whome I have Been Describing upon Seeing Some of our Weomen form'd a laugh and looked with the greatest earnestness at them and at the Same time I saw him put his left hand under the Cloaths But Shall write no more of what I saw.

July 31st. We struck our tens and march'd 2 Miles to the West of Newark where we Stop'd to Refresh at Which time there was a Court Martial held on one of the Inhabitants of

the place where We encamped the night before, his crime was Perswaiding the Soldiers to Desert to the Enemy his Name was Richard Ennis, The Court found him guilty by his own Confession, and sentenced him to be hanged, which was put in execution in two hours after, being about 5 OClock P. M.

Our Division march'd from thence and left him, Hanging for his Brethern to Cut him down; We marched within one Mile of Spring Field, our Days March was about 13 Miles. Said Ennis was not cut down from where he was Hanging until the next day about 8 OClock.

August 1st. By Day Break Struck our tents and march'd by the way of the Scotch Plains to Quible Town which is 15 Miles.

August 2nd. From Quibble we Proceeded on our march to Bon brook and encamp'd one Mile West Said town which days march Consisted of 8 Miles; here we Stop'd the Remainder part of the Day to give our men an oppertunity of Cleaning their Cloaths.

Somerset County.

Bon brook 2nd Augst 1777

Regimental Orders

That the Offs of each Compy take perticular care that the Arms immidietly be put in good order belonging to their Respective Companies.

HEAD QRTRS Bond brook 2nd Augst 1777

Division Orders

Genl Deborre orders the Surjeons of the Division to make an immediet Return of all the Sick in the Respective Regts to the Deputy Qr M. General this order to be Complied with by 6, OClock this evening;

AFTER ORDERS

E. Sign Vanhorne.

The Division will Beat the Genl at ½ after four OClock & be ready to march at five, Col. Stone's Brigade to march in front, the Same order for the Waggons & the guards will be observed. The Genl is verry thank full for the good order the Gentlemen Offs have observed on the Road, he is well Satisfied with the greatest part of the Soldiers; but some of them last night have Robbed a man of A Hundred Dollars, he hopes that if the good and honest Soldiers descover that Crime, they will give notice to me or to their Field Officers.

Sunday Augst 3rd. Struck tents & March'd about 7 Miles to A place Call'd Pluckanim in Somerset County from thence to Veal town in Morris County being about 8 Miles, & there encamp'd (in all 15 Miles.

CAMP NEAR VEAL TOWN 3rd Augst 1777

Division Orders

C. Sign Lee.

The Genl to Beat to morrow at 5 OClock, the Division to march at ½ past 5 Brigdr Genl De Borres Brigade in front,

the same orders for the Waggons & guards will be observed, 20 Pioneers, 10 from each Brigade Commanded by A Subn. will march at 5, Before the Division to repair the Roads, the Offs will take Care to Conduct them in the best order.

I. G. Hamelton A. B. Majr.

Monday 4th August 1777

Strick tents & march'd through Morris town to a Village Called Hannover in Morris County being About 10 Miles, there Encamp'd in A Stony Orchard; this day arrived here Majr Genl Sullivan having been sick at the Fish Kills.

Camp at Hanover 4th Augst 1777

Proceedings of A Genl Court Martial.

Jas. Carter of the 3rd Maryland Regt tryed by Said Court on Suspicion of having Stole money from Micaia Dunn the Court is of opinion that Jas Carter is guilty of the Charge & do Sentence him to Receive 500 Lashes & to return to Maica Dunn all the money found in his possission amounting to 26 Dollars 1/3rd of a Dollar, & that 35 Dollars be Stop'd out of his pay, at the rate of 25 pr month by his commanding Offs & to be paid to Said Dunn or his order.

The Genl approves the Sentence and orders it to be put in exectuion to morrow morning at 9 OClock.

Camp at Hanover 5th Augst 1777

Brigade Orders

A Weekly Return to be made and Delivered to Mr. Lucas of the Delaware Regt this Day.

CAMP AT HANOVER 5th July 1777

Regimental Orders

That the Commanding Officers of Companies take Perticular care that their Arms are forthwith put in good order; That they immedietly make out their pay Rolls for the month of July; That they use their utmost diligence in preventing any Inquiry being done to the properties of the Inhabitants of this place.

HEAD QUARTERS Hanover Township Morris County

5th August 1777

Division Orders

The Court Martial Whereof Col. Price was President is Desolved, the Genl Returns them his hearty thanks for their service.

A Genl Court Martial to Sit to morrow Morning at 9 OClock, to try Ens. Farmer, for beating Thos Allen a Soldier in Col. Prices Regt also to try Adjt Edley for beating a Negro Belonging to the 3rd Maryland Regt, likewise to try Majr Mullen, Brigade Major to Genl Deborre, for Ungentleman like and unsoldier like beheaviour, and for giving Impertinent language to Genl De Borre at the Head of his troops, and for being intoxicated with Liquor, And Contemptiously tearing A Coppy of his arrest; the Court to try such other matters as may be brought Before them, & to exist till further orders. Prisident of the Court Lt. Col. Smith, 2 Captains & 4 Subalterns from Genl De borre's Brigade, 3 Captains & 3 Subalterns from Col. Stones, the Brigade Major to Notify them immedietly.

Nothing can be more pleasing to the Genl than to hear from Genl De borre, & from the other officers of the Division of the Regular and orderly Beheaviour of the Soldiers of this Division

while he was absent, a continiance of Such conduct, will not only wipe of the Aspersions Cast upon this by Divisions but raise it high in the eye of the Commander in Cheif, the Army in General and the Inhabitants of the Country, in order to effect this, the Genl earnestly requests of the faithful & honest Soldiers that they use every means in their power to discover & Inform against Such persons as may in future by their Licentious Behaviour, attempt to bring infamy in this Division.

In order that the Soldiers may as much as posssible be enabled to rest themselves from their fatague, the guards to be as Small as possible, & no duty to be done but what's realy necessary. .

The Field Officers of this Division are to attend at the Genls Quarters at 5 OClock this Afternoon.

The D. QrM. Genl to Regulate and assign the Waggons to Day, to the Several Regts.

Head Qurts Hannover August 6th 1777

Parole Lima C. Sign Perill.

Field Officer of the Day from Genl De borres Brigade The Acting Brigade Major is to Send an Adjt of the Day to attend at Head Qrs from day to day taking the Brigades in turn.

A Court of inquiry to Sit to morrow morning at 9 OClock to inquire into A Complaint against Capt. Patten and Lt. Sewell for Beating Edward Rock of Col. Hazens Regt Col. Hall of the Delaware Regt President of the Court of inquiry, A Captain and two Subalterns of each Brigade to attend as members.

HEAD QUARTERS Hanover 7th Augst. 1777

Division Orders

Field Officer of the day to morrow from Genl Smallwood Brigade, Adjutant of the Same.

An orderly Serjt from each Brigade to be Sent to Hd Qrs daily; if any Cartridges Boxes, or Bayonett belts are Wanting, the officers commanding the Different Regts are Desired to Call upon the Commissary of Artilery Stores, who Shall supply them with what they Shall want to compleat their Regts. The Brigade Return to be made regularly every Saturday; the Brigade Majors to call at Head Quarters for A form of A Brigade Return; Ens. Farmer try'd by A Genl Court Martial for Stricking A Soldier, whereof Col. Smith was president the Court were Unanimously of opinion that Ens. Farmer was Justifiable in Striking Thomas Allen, for his Insolence and Disobedience of his orders, & that Mr. Farmer ought to be Acquitted of his Arrest with Honour, the Genl Highly Approves the Sentence and orders Mr. Farmer ought to be Acquitted of his Arrest with honour, the Genl highly approves the Sentence and orders Mr. Farmer to be Released from his Arrest the Genl also orders Thos Allen released from his Confinement. Though the Genl would by no means encourage Officers in Stricking Soldiers upon every Trivial occation, yet he can never think of Countinanceing the Soldiers in giving Impertinent & abusive language to Officers, & he desires that in future no Officer may put another in Arrest where there is only A Suspicion of his guilt, but that instead thereof an Application may be made for A Court of inquiry; Patrick Ivory Drum Majr & Edward Crossgrove of the 1st Maryland Regt Accused of Stealing, tried by the Sd Court, they are of opinion unanimously that the are both guilty of the Charge laid against

them. And do sentence Patrick Ivory to be Reduced to A Private Drum & Receive 100 Lashes & Crossgrove 300 well laid on the bare back, the Genl approves the Sentence of both & orders it put in execution to Morrow morning at Troop beating at the head of the Regt to which they Belong.

Head Qrtrs Hannover 8th August 1777

Division Orders

Field Officer of the day to morrow from Genl De borres Brigade; Adjt from the Same.

The Genl Court Martial whereof Lt. Col. Smith, was President, Abm Phillips try'd by Said Court for Desertion the Court are unanimously of opinion that the Said Phillips is guilty & do Sentence him and do Sentence him to be Shot, the Genl approves the Sentence and orders it put in execution between the hours of 10 in the morning & 3 OClock to morrow Basil Dennis try'd by the Same Court for Desertion the Court are of opinion that the Said Dennis is Guilty of the Charge, but being over persuaded when in liquor by Phillips & from his General good behaviour, the Court do Sentence him to Receive 100 lashes, the Genl approves the Sentence & orders it put in execution to morrow morning at guard mounting, Wm. Wood, Geo. Phillips, & Jas Taylor try'd by the Same Court for Stealing, the Court are of opinion that James Taylor is not guilty of the Charge, & that he ought to be releas'd from his Confinement, but are of opinion that Wm Wood & Geo. Phillips are guilty, & do Sentence Phillips to receive 100 Lashes & Wood 60 well laid on, the Genl Approves the Sentence & orders it put in execution to morrow morning at guard Mounting; The Court of inquiry whereof Col. Hall was Prisident

have reported that Capt. Patten who was unjustifiably accused of beating Edw. Rock of Col. Hazens Regt is in no Respect guilty of the Charge, but that the Sd Rock was unjustifiably beat, & that Lt. Sewell who Commanded the Guard did not behave out of the line of his duty, in what he did to Said Rock.

The Court having not Reported what officers were guilty of that inhumane abuse, the Genl thinks Necessary to observe, that th'o the officers who bring up the Rear of any Corps, on the March may with Propriety Strick Such Soldiers as will neglect obeying orders, or Stragle behin'd, yet this only to be adopted from the necessaty of the Case, & is by no means to be brought to Such a degree of wanton cruelty as appears by the Evidence in the Present Case, espacially when the offender does not aggravate his Crimes by giving the officer Abusive Language nothing of which appears by the evidence before the Court of inquiry, had the Soldier off'red any insult to those officers either by word or Action it would undoubtedly been compleat Justification for their Chastising him so long as his insolence continued, but this not appearing to be the Case, nothing can Justify such Conduct.

The Brigade Majors or those who act as such to attend at Head Quarters for orders Precisely at 10 OClock.

HEAD QUARTERS Hannover Augst 9th 1777

Division Orders

The Execution of Abm Phillips is suspended untill Afternon & then to be between the hours of 3 & 5 OClock at which time the Division to be under Arms, Genl De borre to appoint some person to receive one half the Saws and axes from Col. Stone, that was delivered him at Fish Kills for the use of the Pioneers,

Col. Stone is desired to give orders for the Delivery of them when apply'd for.

A Court of Inquiry to sit on Monday morning at 9 OClock, Major Adams Prisident, 3 Caps & 3 Subs. from each Brigade to form the Court, to inquire into the Complaint of Col. Wall against Commissary Durrah for Beating and abusing Patrick Burk a Soldier in Col. Halls Regt.

Saturday Augst 9th the Division Paraded about 4 OClock this afternoon & march'd in field in the Rear of our encampment to see the execution of Abm Phillips of the 2nd Maryland Regt he was Shot about 6 OClock, his crime was attempting to Desert to the Enemy but did not effect it.

Camp Hanover 10th Agst 1777

Brigade Orders

Col. Stone Requests the Officers & Soldiers of Genl Smallwoods Brigade, to attend Divine Service at 10 OClock, this forenoon, every Soldier to be neat and Clean & the greatest Decency to be observed.

Head Quarters Hanover August 11th 1777

Division Orders

Field Officer of the Day tomorrow from Genl Smallwood's Brigade, Adjutant of the day from ye Same The Genl thinking it necessary for the health of the Soldiers, that Genl De borres Brigade Should be Removed from their present ground of Encampment he requests of Genl Deborre to order A Convenient place as near the present Encampment as he can.

The Picquetts as in orders, with the other guards Remain till further orders.

A Genl Court Martial to Sit tomorrow morning at 9 OClock: Lt. Col. Antill President, 3 Captains & 3 Subs. from each Brigade, to form Said Court, to try Ensign Hillary for being Drunk, profane Swearing, and Behaving very indecent, also to try Such matters as may be brought Before them.

The main Guard to be augmented immedietly to 1 L, 2 S, 2 C, 33 P; The Court of Inquiry that was to sit this Morning whereof Major Adams was President is desolved. A Court of inquiry to Sit tomorrow morning at 9 OClock Lt. Col. Ramsey President; 3 Captains and 3 Subs. from each Brigade to form Said Court, to inquire into A Complaint by Col. Hall alledged against Commissary Durrah for Beating & Abusing Patt. Burk a Soldier in his Regt also to inquire into A Complaint lodged against Lt. Jordan, for taking A horse the property of Mr. Buchannon, also for abusing and Suffering him to be abused by A party under his command, & for not giving Mr. Buchannan proper Satisfaction for hay he had taking for the use of the States.

AFTER ORDER 11th Augst 1777

The Commanders of Brigades to give orders to their Qr-Masters to see that their Artilery and Waggons horses are well Shod, that when the Division is order'd to march, there might be no Excuse or Delay; & that the Brigade be in Readiness to march immedietly when notice is given.

CAMP HANOVER August 11th 1777

Regimental Orders

That the officers of the Regt are once more Requested punctually to attend parade & to take Particular Care that their

men are present that no non Commissioned officer or Soldier presuming to appear on parade when In Camp with uncomb'd hair or unshaven, the Officers are Desired to take Care that this order be punctually observed. That as nothing is more Conduceive to the Healthiness of A Camp than Cleanliness, they are therefore whilst in Camp to keep themselves as neat and clean as their cloathing will allow; upon pain of being Court Martial'd. Returns to be made out immedietly of what Cloathing may be wanting for each Company.

Proceedings of A Regimental Court Martial held by orders of Col. David Hall for the tryal of Such Prisoners as may be Brought before them belonging to the Delaware Regiment.

Thomas Holland Capt. President.

Lt. Wilson, Ens. Hosman } members { Ens. M Clane, Ens. J Lidd

Saml M Murry of Capt. Andersons Company Confin'd by Lt. Queenouault for being Drunk & offering to Sell A Razor belonging to Jno Purnell of Said Company, EVIDENCE—Wm Guttrie of Capt. Andersons Compy declared that he Saw the Prisoner offer the Razor for Sale to A Soldier, went up and told him not to buy the Razor for it was not his own the prisoner Said it was, on which Guttrie took him to Lt. Quenouault.

EVIDENCE—Jno Purnell Saith that he was Sick and had leave to put his knapsack in the Waggon, but when he Came to Camp could not find it, but on hearing that A Razor was offer'd for Sale, he went to the Lieut for leave to Search the rest of his things when he found Some of them in the prisoners Knapsack; The Prisoner told him he did not know he was

come from Morriston that he knew they ware his and intended to take care of them for him.

Prisoners Defince—Saith that when the Waggon came to Camp, the things were all loose & toss'd about, & having lost all his things was looking for them, when he found his Knapsack with Purnels things in it, But who put them there he could not tell, but said he would take Care of them for him.

Evidence for the Prisoner—Fredrick Vanlip, saith that he Saw the Prisoner take up the Knapsack and look'd at the things, and Said they Belong'd to Jno. Purnell & that he would take Care of them for him; Prisoner further Saith that he has A Razor of the Same Mark & make as Jno. Purnells, & that he did not offer the Razor for Sale intending to Defraud any Person:

The Court having taking the whole into consideration are of opinion the Prisoner did not intend any Defraud, but that he is guilty of the unpardonable Crime of Being Drunk, & order him to be Severly reprimanded.

Thos Holland
Capt. President

The Sentence of the Court Approv'd and order'd to be put in Execution by Lt. Jordan.

Davd Hall
Col. D R

Monday 11th August. Brigadier Genl Smallwood Arrived here at Camp and took Command of our Brigade Consisting of the Delaware Regt 1st 3rd & 7th Maryland Regts.

Tuesday August 12th. Struck tents About 9 OClock in the morning & march'd about one mile and encamp'd near A Grist & Saw Mills.

Head Quarters Hannover 12th August 1777

Division Orders

Field officer of the Day tomorrow from Genl Deborres Brigade,

Adjt of the Day from the Same.

The Genl having obtaned licence from the Commander in Cheif, & in consequence thereof granted A Pardon to John Murphy & Daniel Brown he Sincerely hopes that this act of Lenity may not serve to incourage that Spirit of Disorder and Licentiousness which has always Prevailed too much in this Division, he wishes it may Shew the Soldiers the Advantage of A good Character; And the good opinion of their officer which was the real foundation for the Lenity Shown them Unhappy Persons, he trusts the future Conduct of those unhappy men, will wipe off the Stain brought upon them by their Inconsiderate Conduct, and he Strictly forbids the Soldiers to Cast any kind of Reflections, or upbraid them for the Crime for which they have Received A General Pardon.

Captain Seward to Join General Smallwoods Brigade, leaving Such officers and men to Command the Artilery of Genl Deborres Brigade as he Shall think proper; The Paymasters to make out their Abstracts to the 1st of August immedietly, till which time (Genl Washington who is on his march towards us; has ordered this Division to be paid up.

HEAD QUARTERS Hanover 13th Augst 1777

Division Orders

Feild officer of the Day tomorrow from Genl Smallwoods Brigade,

Adjt of the Day from the Same.

The Genl is much Surprised that the orders of the 11th inst. is not complied with (Respecting the Court Martial whereof Lt. Col. Antill is president) the President having attended at Several times, & could not proceed to Business for want of members to form Said Court. The Brigade Major to See the Court form'd Agreeable to Genl orders immedietly Brigade Major Powell for the Day tomorrow an orderly Serjeant in future to be Sent by the Brigade Major of the Day to attend upon Such Court as may be Setting agreeable to Genl orders.

Hannover 13th August 1777

Brigade Orders

The Commandants of Regts in Genl Smallwoods Brigade, are Requested immedietly to furnish Returns of their Regts, and Render lists of Such arms & Accoutrements, Cloathing &c. as may be wanting in order that the Same may be procured, to put the Regts in the most formidable & Comfortable Situation; and as the Ground for the Encampment was yesterday Regularly laid off the Genl can't avoid observing that it would have been much more pleasing; had the officers attended to, and had their tents more Regularly pitch'd which it is expected will be better attended to in future; as it will not only contribute to the Beauty of the encampment, but also to the health and Disclipine of the Soldiers;

The Adjutants are Required to Draw one Camp Colour man out of each Company in their Respective Regts, who are to act and do no other Duty for the space of one week, after which they will be Releived, and the QrMasters are Required to assemble every morning at gun fireing, & direct them to Clean and Sweep the Streets of all nausances, throwing the Same into the pits and Covering the filth therein with fresh dirt every morning, all Cooking, washing, &c. are expressly forbid within the limits of the Encampment, which must be performed at A Proper Distance in front and on the Flanks thereof, & the latter to prevent trash and filth in the Encampment, & within the tents of the Soldiers. A Visiting officer from each Regt must be daily appointed to inspect within the limits of his Regiment and Direct the Removal thereof. The Brigade Compleatly Arm'd & Accoutred must Parade in front of the Encampment at troop & Retreat Beating, tis expected the Officers in General will on those occations make A point of attending in their proper posts; Officers will attend to and Direct their men to Shave & Shift twice A Week, & also inspect their Arms, Accoutriments, & Provision, & their mode of Cooking verry frequently, & that they do not load their muskets without orders, and unless the Cleaning their arms is attended to, they will be apt to bend their gun Barrels, any Soldier without leave in Writing from his officer, found Straggling above one mile from the Encampment will be Liable to be taken up and punished as a Deserter; Sobriety, good order, & Diligence are earnestly recommended.

Camp at Hannover August 14th 1777

Proceedings of a Regimental Court Martial held by order of Major Vaughen for the trial of Dennis Maanna of Capt. Hollands Company; Confin'd by said Capt. for theft.

Robt. Kirkwood Capt. President.

Lt. Queenouault, Lt. Brattan } members { Lt. Duff, Ens. Bennett

Evidence—Prisoner being brought before the Court pleads not guilty; John Tappan an Inhabitant of this place being duely Sworn Deposeth that when he went into the Room he Saw none but a Girl and the Prisoner in it the Girl went into another Room and said She had lost A Handkf A Soldier Saw a Handkff hanging out of the Prisoners pocket and Informed the Landlady of it, the Prisoner Said he had not got it, Upon which the Soldier Shewing the Prisoner the end of it, Saying there it is, he deliver'd it up, the girl Said She saw it before but was afraid of Speaking about it. Prisoner on his defence Saith that he went into the tavern & got a gill of gin, that he Saw A Handkff on the Chair & took it up & held it in his hand, & put it by accident in his pocket & forgot it, upon being accused of taking Said Handkff denied it, having forgot he had it, & further Said he had no pockets but one in his Breeches, upon opening of which he found it, & delivered it to the Girl.

The Court are unanimously of opinion that Dennis Maanna is not only guilty of the Charge laid against him, but of lying before the Court, and do Sentence him to Receive 75 Lashes for the first Crime & 25 for the last, on his bare back well Laid on with the Cat o nine tails; which Sentence is approv'd of by Majr Vaughen & ordered to be put in execution this Evening.

Head Qrtrs 14th August 1777

Division Orders

Field Officer of the tomorrow from Genl Deborres Brigade, Brigade Major & Adjt. of the day from the Same The Amaz-

ing neglect of the Field officers of the day in not making any Report for Some days past, Oblidges the Genl to order expressly that the Field officer of the day, make his report every day before 12 OClock & that each officer of the Guards, make his Report to the officer of the Day before 10 OClock The form of the Report for the Feild officer of the Day was given out at Princeton & must be now followed, the name of the Feild officer of the day to be Returned to Head Qurtrs By the Brigade Major of the Brigade he belongs to as soon as he is appointed, the Brigade Majors to return & the names of the members of Court martials & Courts of Inquiry to the Respective Presidents as soon as appointed and warn'd that they may be able to Report those members who neglect to attend, A Strict & Regular Attention to the Duties of the Camp is expected, as much as though the Enemy were at hand, good officers will Readily see the necessaty of this, those who cannot at present observe it, may gain knowledge from the conduct of others.

Hanover 15th August 1777

Brigade Orders

The Brigadier General in pursuance of an order recv'd from Major Genl Sullivan, requires from the Commandants of Regts in his Brigade, Returns of their Sick lodg'd in the Several Hospital that a proper offr may be Despatched, to bring in Such as may be recov'ed fit for Duty, and also Returns of such as may have been imprisoned, that they may be brought in, tried punished & Returned to their Respective Regts which now want their aid its expected such Returns will be immedietly furnished.

HEAD QUARTERS 15th August 1777

Division Orders

Field officer of the Day tomorrow from Genl Smallwoods Brigade, Brigade Majr & Adjt. of the day from the Same.

The Genl expecting speedely to Receive orders to march orders that that no artilery nor Waggon & Horses be sent out of Camp on any Buisness whatever: the QrMasters to see that they are Shod and kept in good order, for marching on the first notice.

Ens. Hilery tried by A Genl Court Martial Whereof Lt. Col. Antill is President, for Drunkness, profane Swareing, &c. the Court are of opinion that he receive a private Reprimand from the Commanding officer of the Brigade, he be Immediately Dismissd The Genl Approves the Sentence of the Court and orders it put in Execution to morrow morning at 7 OClock. Patrick Camery a Waggoner in the Continental army tryed by the same Court for theft the Court find him Guilty, & Sentence him to Receive 100 lashes upon the bare back, at such time & place as the Comm. of the Division Shall think proper to order, the Genl. Approves the Sentence of sd Court & orders it put in Execution to morrow morning 9 OClock The Adjt. of the Day for the Division to see the Sentence of sd Court put in Execution.

AFTER ORDERS 15 August 1777

The Genl Court martial whereof Lt. Coll Antill was President is disolv'd.

A Genl Court Martial to sit to morrow morning at 9 OClock, Coll Gunby President, 3 Capts & 3 Subalterns from each Brigade, to try Pamabre for Confineing James McCoy Contrary to Genl Orders, After being Acquainted therewith, Also to try any other matters that may be brought before them.

HEAD QUARTERS Hanover 16th August 1777

Division Orders

Feild officer of the Day tomorrow from Col. Deborres Brigade, Brigade Major from the same.

The Court Martial Whereof Col. Gunby's President is not to Sit till further orders, the Court of Inquiry Whereof Lt. Col. Ramsey is President, have Reported that Commissary Durrah is by no means Justifiable in Beating the Soldier Belonging to Col. Halls Regt they think A Private Reprimand from the Genl will answer every purpose of Calling a Court martial. The Genl approves of the Report of Said Court of Inquiry, to which Court Commissary Durrah has Submitted.

The Genl forbides the Soldiers entering the Mill Belonging to Mr. Ford or to Conscern with the flood Gates as he is Determin'd in future to bring Such Offenders to A Severe puneshment.

HEAD QRTRS Hannover 17th August 1777

Division Orders

Feild offr of the Day to morrow from Genl Smallwoods Brigade, Brigade Major from the Same.

A Return of all the ordinance Stores belonging to the Artilery to be made to Head Quarters as Soon as possible by the Commanding Officer of the Artilery, At A General Court Martial held at Hanover the 6th Inst Major Mullen was tried for giving insolent and Abusive Languague to Genl Deborre at ye Head of his Brigade, & for being frequently Intoxicated with Liquor, of which Charge the Court found him guilty & Sentenced him to be Cashierd, the Commander in Chief approved the Sentence, & orders it to take place Immedietly.

Those Regts which are yet in want of tents to make returns to the QrM.Genl to morrow morning by 8 OClock The

Brigade Major to Call on the QrMasters for A Return of all the tents & Marquees that are publick property & upon the Adjts for a Return of all the men & Weomen in their Respective Regts, from which they are to make A Genl Return of each Brigade in the following manner Viz.

In one Collumn the number of Feild officers 2ndly the Serjts 4thly Privates including Drums, Fifes as also Waggoners & Weomen, then they are to State the number of tents in their Respective Brigades, & Set forth the number wanting upon the following Calculations, Viz A tent to each Feild officer, one to two Commissioned & Staff officers, one to 4 Serjts & one to 6 Privates including Corporals, as Well as Waggoners weomen &c. The Deputy QrM. Genl after Receiving the Returns is to attend with them at Head Quarters before he Delivers out the tents.

The Paymaster of the Several Regts to attend at Head Quarters this afternoon at 5 OClock.

Head Quarters Hannover 18th August 1777

Division Orders

Feild officer of the Day tomorrow from Genl Deborres Brigade,

Brigade Major from the Same.

Head Qrtrs Roxborough 9th August

General Orders

By his Excellency the Commander in Cheif; The Waggon Master General and all those acting in the Department under him, are for the future to govern themselves Agreeable to the

rules and Regulations of the Army, conformable to all General orders, & Division and Brigade orders Respectivily, & those attach'd to Brigades to be Subject to the Verbal orders of the Feild officers, of the Brigades appointed to the Charge and Direction of the line of march for the day; For any offence they are to be Confin'd to their Quarters and tried by Such Court Martial as Shall be appointed to hear and Determine the Same, If any Officer in the Department misbehaves either in the march, or to the Brigadier or Major General of the Brigade or Division, either of whome may order the Person to Confine himself to his Qrs Provision being made to keep Waggon masters to their Duty every officer is positively forbid to put any of them under guard or into the Provost, & there doing it will assuredly Subject them to be tried by A Court martial for Desobedience of orders; The names of the Waggon masters General appointed to Divisions to be inserted in the Division orders & these Officers are to have Recourse to Genl orders for the better Regulations of their Conduct; The Paymasters to make out their Abstracts up to the first of July which they are to Carry in and Receive their money also to lodge their abstracts for the month of July with the Paymaster General; The Regimental QrMasters are to make Returns to the D. QMr General of this Division of the Stores in these Respective Regts, and that with the utmost exactness in every article, the Returns to be given in at 5 OClock to morrow morning P. M. Capt. Parmelee of Col. Hazens Regt put in Arrest for Confineing James MKay contrary to Genl orders after being made acquainted there with, the Genl upon examination that Capt. Parmelee had no Settled Design of Disobeying orders, or Desputing his Authority And that the part Capt. Parmelee acted proceeded only from Mistake, the Genl Discharges him from his arrest.

The Commissary in future to Deliver all guards & Fatague men one Gill of Rum pr man pr Day, and to the Rest of the Division, holding themselves in Readiness to march ½ Gill of Rum pr man A Day.

After Orders August 18th 1777

Division Orders

The Genl orders that the Muster Rolls of those Regts that were not mustred last month by the Deputy Muster Master General, to be made out Immedietly Up to the last day of July, each Capt. or Commanding Officer of A Company or Troop is to make out 4 Rolls Writ in A fact hand, the Commissioned Officers to hold the first Place in the Roll; the non Commissioned the 2nd the present & other effective privates the 3rd And the non effective, the missing, Discharged, Deserted, and dead, the Rolls must be folded up and endorsed, so as to express the Regt Company & the time when they were taken; the Rank of the Captains Should be Signified by the figures 1, 2, 3, &c on the Back of the Rolls; As the men are to be excus'd from Duty, it is expected that every man whose absence is not Accounted for, in the Collumn of Remarks will appear before the Officer of Musters.

The Genl Court Martial Wherof Col. Gunby is President is to Sit to morrow morning at 9 OClock.

Camp Hanover August 19th 1777

Brigade Orders

A Brigade Court Martial to Sit at 11 OClock this morning for the tryal of Patt Davis & Dennis Cain both of the Dela-

ware Regt Confin'd by Majr Powell for Being out of Camp after Tatoo; & Beating and abusing an Inhabitant; Capt. Kirkwood President, A Sublt. from each Regt Members.

Head Quarters Hanover 19th August 1777

Division Orders

Field Officer of the day tomorrow from Genl Smallwoods Brigade.

Brigade Major from the Same.

The Waggon Masters to Draw the tents for his Officers Immedietly, also to see that the Waggoneers draw their tents from their Respective Brigades to which they Belong.

19th August 1777

Brigade Orders

The Dailey Complaints of the Inhabitants residing adjacent to and in the Neighbourhood of our encampment sufficiently Demonstrates the Depravity of the Soldery, and I am afraid the Inattention of the Officers to restrain Such unsoldiery and infamous practices has give Rise to these Complaints Would the Soldery Consider that their Reputation, & in Some Instance I might add the Safety of a Corps is founded, And Depend not less on the Strict obedience to orders, Sobriety, Honesty, & temperance, these on Valour, and Discipline, which are both promoted and increased in a more or less Immediet Degree as those Quallifications are Cherished and Practised, they must blush for their Conduct, which must Strongly impress them with Resembling Sheep Stealers, & theives more than honest brave men fighting and Struggling for the Liberties of America,

the pay & Subsistance of the Continental Army is more Liberal than the allowance made to any other Soldiers in the face of the earth, this therefore cannot be an excuse for Breaking open Peoples Houses, & Stealing their Property, burning & otherwise destroying their out houses, implements of Husbandry & Handicraft Busness, together with their fencing & Crops; The latter perhaps may Destress this verry part of the Army next Winter, as well as the poore Inhabitants who are held up as the only Sufferers, to Restrain Such horrid & Shameful Practices, Let me intreat & Conjure every officer in the Brigade, to exert collectively & individually his utmost efforts; and the Brigadier Genl most earnestly begs those honest brave Soldiers who Still have A Regard to their good name, & the Credit of the Brigade, that they will use their best endeavours to disuade from & detect their Comrades in Such infamous practices; Its with conscern the Genl finds himself oblidg'd to declare that unless such practices are Drop'd the most Riged measures will be adopted, and Examplary punishments inflicted in every instance.

Proceedings of A Brigade Court Martial held in Camp, Hanover 19th August 1777.

Robt Kirkwood Capt. President.

1st Lt. Richd Anderson 7th M. R.
2nd Lt. Richd Bird 5 M. R.
} members {
Ens. Benjm. MClean *D R*
Ens. Jno James 3 m: R

Serjt Cain
& Pat Davis Private } of the D R confin'd by major Powell being Brought before the Court pleads guilty; but Occationed by provocation.

Major Powell being duely Sworn, Sayeth, last night about 10 OClock Complaint was lodg'd with me against two Soldiers

who was at the house of a Mr. Dennison in this Neighbourhood, and had behav'd in a verry indecent manner In Consequence of this information, I took A Corporal & file of men and went with my informant, to Mr. Denisons, where I found the Prisoners each with a gun in his hand, upon inquiring what was the matter and their Buisness there at Such a time of night, Davis told me the man of the house had used them in a verry gross manner, had given them much abusive language, & had taken up his gun and threatened to Shoot them for Damn'd Rebels, saying also that he would get enough from Staten Island to beat our whole Brigade Mr. Denison denied the Accusation, Said they had come to his house, in a verry abrupt manner, that Davis Swore A young woman, that was nursing Denisons Wife Was his Wife, and he'd be Damn'd if he did not Sleep with her, Denison Said he offred them a bed in his Shop, & Supper if they wanted it, but that his wife was at the point of death, & that he Could not Suffer any other than his famely to sleep in his house that the Prisoners then entred his house again, Search'd it, Calld him a damn'd Tory, & took from him two guns (the Same I found them with) they were both Somewhat intoxicated, this was better than an hour after Tattoo beating.

Mr. Dennison Being duely Sworn Sayeth, that the above mentioned Prisoners came to his house just at dark, & demanded A Young Woman which he had in his house, & one of them Claimd her as his wife, which girl was up stairs at the Same time. I denied that there was any Such girl there that Blong'd to them, upon which they took two guns of my property which was behind a Door, & went out, & swore that they would Stand Sentrie at my Door, for I was a Tory and fired one of the guns off.

The Court are unanimously of opinion that Serjt Cain & Patt Davis, are guilty of the Charge, & do Sentence Serjt Cain to be Reduced to the Ranks & Receive 50 Lashes and Patt Davis 100 lashes, on the bare back well laid on with the Cat oNine tails:

ROBT KIRKWOOD
President

The above Sentence approv'd, but from having heard A favourable Character of Serjt Cain have Remitted the Latter part of the punishment, and have thought proper to Remit 50 lashes of Patt. Davis's punishment the Remainder to be inflicted at beat of Retreat.

WM SMALLWOOD
B: General

HEAD QRTRS Hanover 20th August 1777

Division Orders

Field Officer of the Day tomorrow from Genl Deborres Brigade, Major from the Same.

The Weekly Returns to be given in every Saturday Morning by 8 OClock.

The Brigade Major to See that the Adjutants of the Brigade they belong to, bring in the Regimental Weekly Returns to them every friday morning; at 8 OClock The Court martial whereof Col. Gunby is President to Sit tomorrow morning at 9 OClock to try such matters As may be brought before them.

CAMP HANOVER 20th August 1777

Brigade Orders

The Brigadier General requires the Commandants of Regts in his Brigade, to Select as many of their men as will be able

to Stand a march, to arm and Accouter them in the best manner & Blankets Slung, to make Returns and draw Immedietly, & have it cook'd, three days salt provisions & hard bread if they can possibly be furnished, their tents will be left Standing & guarded by those, who may be two infirm for the Fatagues of the March three days allowance of Rum is also to be drawn; but the Genl would recommend that none be delivered out without his further orders, the whole to hold themselves in Readiness to march tomorrow at 11 OClock in the forenoon.

Thirsday 21st Our Brigade March'd at 11 OClock by the Way of Bottle Hill, which is 5 miles from thence to Chattam 7 miles and there Refresh'd from thence we march'd thr'o Spring field to Elizabeth Town point 10 miles there our men unloaded themselves of their knapsacks & Blankets & Crossed the River in the Greatest Silence on to Staten Island all which we effected By day Break, from thence we proceeded towards the East end of the Island where coming near A Guard Consisting of About 100 Men of British Troops but upon first of us they Ran away at this place We Destroyed near 3000£ of Stores Besides A Quantity brought off; We traveled near 20 Miles on the Island but Could not see any more of the Enemy, About 1 OClock Came to the Bazing Star Where we all Cross'd but 100 men who were Detain'd about Bringing over Stock these were attacked & mostly taken Prisoners after they had fired all their Amunition away that night the Prisoners beat off the Guard & the greatest part of them got over the River, the Prisoners that were taken from them were as followes Viz:

3 Cols: viz Barton, Lawrence, & Allen, 4 Captains 6 Subalterns & 150 Privates all of the greens, then march'd to Spank

town being 7 Miles, Saturday 23d march'd to Elizabeth Town 5 Miles from thence to Springfield 7 Miles Sunday 24th march'd through Westfield to Specatria being 14 Miles, Monday 25th march'd to Brunswick being 5 Miles, Tuesday 26th march'd to Princeton being 15 Miles, & quarterd our Men in the College, Wednesday 27th the Baggage came up then pitch'd our Tents in an Old Field back of the said College. Tuesday 28th Struck tents at day break and March'd to Trenton in Hunterdon County Being 12 Miles that evening I Cross'd the River in Compy with Capt. Anderson and Marched to the Red Lyon within 13 Miles of Philadelphia 29th Marched from the Red Lyon thr'o Philada down to Wilmington & the 30th I went to my Fathers.

Pennsylvania State Head Quarters Chester Septr 1st

Field Officer of the Day to morrow from Genl Deborres Brigade, the Commanding Officers of the Several Regts to See that their men have provisions cook'd for tomorrow those Regts that have not Drawn may draw at this place.

Genl Deborre with all the Field Officers of both Brigades to attend at Head Quarters at Senals tavern at the Post office precisely at 5 OClock this Afternoon, the troops to march for Wilmington tomorrow morning at day Break, Genl Smallwoods Brigade to march in front, the Officers are Desired to prevent the Waggons being loaded with men & Weomen, none to Ride but those Soldiers who are unable to march.

Tuesday Septr 2nd Struck tents & march'd to Wilmington in the Delaware State & encamp'd about one Mile West of the town in all 13 Miles.

Head Quarters Wilmington Septr 3rd 1777

Brigade Orders

By order of Genl Smallwood the Commanding Officer of the Different Regts in this Brigade to have Returns made out of all the plunder that was taken on Staten Island the plunder to be Collected at one place in order that there may be an equal Destribution made of the Same.

The Col. desires that the Arms & Accoutrements be put in the best of Order, & that Catridges be Drawn when wanting, no guns to be taken out of the Stocks, nor locks to be taken to pieces in Cleaning the Same The officers of the Differrent Companies to examine into the State of mens Arms every Morning at parade, Should any damage happen to any of the Arms through neglect of the Soldier that their Acctt be Charged with the Same, any Soldier that Shall Descharge his fire Arms without leave from the Commanding Officer Shall Receive 50 lashes on his bare back upon the Spot, that no Soldier be permitted to leave Camp on any pertence whatsoever without leave from their Officers; The QrMastrs of the Differrent Regts to have proper Sinks dug in the rear of their Regts And the Bushes & brush to be Cleared out of the Encampment.

Wilmington 3d Septr 1777

Division Orders

Field Officer of the Day to morrow from Genl Smallwoods Brigade.

The whole Division to be paraded in the front of the encampment at 4 o'clock precisely, the Officers commanding Regts to See their Men Clean, their hair powder'd & green boughs in their hats, the Whole to be Counted of in Divisions properly Officer'd.

Genl Smallwoods Brigade to Compleat the Genls guard, Also to furnish 1 Sub. 2 Serjts 3 Corpls & 24 men, to parade in the road on the left of the Division, at Retreat beating; Genl Deborre Brigade to furnish a main guard till further orders, Consisting of 1 Sub. 2 Serjts 3 Corpls & 24 men, the guard house to be handy to the Division also to furnish for A Picquet 1 Capt. 2 Subs 2 Serjts 3 Corpls & 40 Privates, to be paraded in the Road on the left of the Division at Retreat Beating.

Every Commanding Officer of A Company is immedietly to make out his muster Roll to the first of September; Col. Hazens Regt will parade for muster to morrow evening at 5 OClock, Coll. Halls Regt will parade for muster at 6 OClock 4 Rolls are to be made for each muster, the other two Regts Belonging to the Same Brigade to parade on friday morning Precisely at 8 OClock for Muster.

AFTER ORDERS 3d Septr 1777

The orders Respecting the parade of the Division are to be Suspended, the Division to have two days provisions Cooked their Arms in order, & Supplied with a proper Quantity of Amunition and have every thing in Readiness to move at a Moments Warning.

Proceedings of A Regimental Court Martial held at Wilmington this 4th day of Septr 1777 by order of Lt. Coll. Pope of the Delaware Regt for the tryal of Such prisoners as may be brought before them.

Capt. Anderson President

Lt. Rhodes, Lt. Wilds } members { Lt. Bratten, Lt. Brown

Emanuel Triser Confin'd by Lt. Joseph Wilds for Stealing Clothes from Johnson Fleetwood.

Emanuel Triser being brought before the Court pleads not guilty that the Clothes he was Accus'd of Stealing from Johnson Fleetwood he got out of Fredreck Reeds knapsack, who was taken prisoner on Staten Island, that Reed had Borrowed A Shirt and pair of stockings of him.

Jas Cavender being brought before the Court & duely Sworn Says that he Saw the Stockings in Fredrick Reeds knapsack, And that he heard Serjt Perry Say that he Saw Triser take the Stockings out of Reeds knapsack.

The Court having Considred the nature of the offence are of opinion that the prisoner is not guilty of the Charge laid to him, & that he be Released from his Confinement.

Wm Plowman Prisoner confin'd for being drunk on his post & fireing two Shot declaring he would be the death of Some person last night when on post, & letting no persons pass without money.

The Court are of opinion that the Crime of Wm Plowman doth not Lay before A Regimental Court Martial.

ENOCH ANDERSON
Captn presdt

The Above proceedings Approv'd.

CHAS. POPE
Lt. Coll. D R

Friday 5th Septr Struck tents & march'd about 3 miles And encamp'd in A Stubble Field about one mile Northward of Newport New Castle County.

HEAD QURTRS Wilmington 5th Septr 1777

Genl Orders

Major Genl for tomorrow.....Green
Field Officer .....Weeden
Field Officers Cols Matthews, Major Powell, Brigade Major Porus.

The Commissary Genl of Prisoners informs the Commanding Officers of Regts and other Corps that notwithstanding the orders heretofore Issued for that purpose, he has Received but one Small Return of Prisoners taken by the Enemy Since his Appointment; in Consequence of Such neglect it will be Impossible for him, in case of an exchange to pay proper Attention to the orders of the different Captures as to time, he further informs them for the future the prisoners will be exchanged according to the return hereafter made to him.

As Baggage Waggons at all times are A great incumberrence to an Army, & would be perticularly so in the day of Battle, they in the latter can be Driven off the Field, that the Army may not be the least incumberred by them, it is besides A measure which Common prudence dictates, & whenever an Action is expected, the QrMastr Genl will immedietly wait on the Commander in Cheif to Receive his orders Respecting them.

From every Information of the Enemys Designs and from their Movements it is manifest their Aim is if possible to possess them Selves of Philadelphia this is their Capital object, its what they Strove to effect; but were happily disappointed, they made A Second Attempt at the opening of this Campaign, but after vast preparation & expences for the purpose they abandon'd, their Design and totally evacuated the Jerseys, they are now making their last efforts; to come up the Delaware, it Seems was their first Intention but from the measure taken to

annoy them in the River they Judged this enterprise that way too hazardous; at length they have landed on the Eastern Shore of Maryland and advanc'd Some little way into the Country but the Genl trusts they will be again Disappointed in their views Should they put their Designs against Philadelphia or this State their all is at Stake, they will put the Contest to the event of A Single Battle, if they are overthrown they are utterly undone, the war ended, now then is the time for our most Strenious exertion, one bold Stroke will free the Land from Rapine, Devestation, & Burning; Famale Inocence from brutal Lust & Violence in every other Quarter the American Arms have of Late been Rapidly Successfull, great many of the Enemy have fallen in Battle, & Still greater numbers have been made prisoners; the Militia to the Northward have fought with A Resolution that would have done honour to old Soldiers, they have Bravely fought & Conquer'd & glory attend them & who can forbear to emulate their noble Spirits, who is without Ambition to Share with them the applause of their Countrymen and of all posterity, As the Defenders of their Liberty, & the procurers of peace and happiness, to millions in the present & future Generation, two years we have maintain'd the war & Strugled with difficulties Innumerable, but the prospect has brightned and our affairs put on A better face, now is the time to Reap the fruits of all our toil and Dangers if we behave like men this third Campaign will be our last, ours is the main army to us our Country looks for protection, the eyes of all america & all Urope, are turned upon us, as on those by whome the event of War is to be Determined and the Genl assures his Country men and fellow Soldiers that he believes the Critical & important moments is at hand, which demand their most Spirited exertion to the Field, Glory waits to Crown the brave & peace freedom & happiness will be the Rewards of Victory,

animated by Motives like those Soldiers fighting in the Cause of Innocense humanity & Justice will never give way, but with undaunted Resolution press on to Conquest, & these the Genl assures himself is the part American forces now in Arms will act & those he will assure Success.

Genl Ewings Brigade of Militia will releive the men of Genl Nashes Brigade now on the Little guard on the East Side of Brandewine as soon as possible and Dailey furnish it.

CAMP NEAR NEWPORT Sepr 6th 1777.

Regimental Orders

The Commanding officers of Companies are Requested to have their men Clean & hair powder'd to morrow at 2 OClock with their Arms & Accoutrements in good order, fit to bear Inspection by the Commander in Chief, any person appearing Contrairy to this order it will be looked on to be the officers Neglect for which they will have to Acct, any Soldier absent from the parade at the above mentioned time, Shall assuredly Suffer Agreeable to the Articles of War, unless A Reasonable excuse be given for the Same.

CHAS POPE
Lt. Coll. D R

HEAD QUARTERS Wilmington Sepr 6th 1777

General Orders

Parole Resolution
C. Sign Firmness & Conquest
Major Genl for tomorrow Lord Sterling.
Brigadier Scott, Field Officers Col. Parker, Major Tory
Brigade Major for the day.

The Genl has no doubt but that every man who has A due Sense of the Importance of the Cause he has taken to defend And who has any Regard to his own honour & the Reputation of A Soldier, will if Called to Action will behave like one Contending for every thing valuable, but if contrary to his expectation there Shall be found any officer or Soldier so far lost to all Shame as basely to quit their posts without orders, or Shall Skulk from danger or offer to Retreat before order is given for so doing from proper authority of a Superior Officer, they are to be instantly Shot down, as a Just punishment to themselves & for an example to others, this order those in the Rear, & the Corps of Reserve are to See duely executed, to prevent the Cowardly making a Sacrifice of the brave, & by their ill example and ground less tales circulating to Cover their own Shamefull conduct, Spreading terror as they go; that this order may be well known & strongly Impressed upon the Army; the Genl positively orders the Commanding officers of every Regt to assemble his men & have it Read to them; to prevent the plea of Ignorance.

The Genl begs the favour of the Officers to be attentive to all Strange faces & Suspicious persons, which may be descover'd in Camp & if upon examination of them no good Acct can be given why they are there to carry them to the Majr Genl of the day for further examination, this as it is only A necessary precaution is to be done in a manner least offensive The Genl Officers are to meet at 5 OClock this afternoon at the Brick house by Whiteclay Creek & fix upon proper Picquets for the Security of the Camp John Lawrence and Presley Thompson Esqrs are appointed extra Aid de Camp to the Commander in Chief all orders therefore through them in Writing or otherwise are to be Regarded in the Same light as if proceeding from any other of his Aids de Camp; Notwith-

standing the orders relative to house, they are Still of great Nuisances to ye Army the QrMrs of Divisions are therefore to See that they are fixed at Proper distances from Camp, & that all the ofal be well buried once a day.

The Commander in Cheif will look to these QrMrs for the Execution of this order & no excuse can be admitted for neglect of So necessary A duty.

AFTER ORDERS

Information has been given that many of the Waggons horses are Suffered to go loose in the field, the Commander in Cheif Strictly orders, that every night all the Waggon horses be put to the Waggons & there kept, & if it be necessary at any time for them to go to grass, that it be only in the day time, & then the Waggoneers must Stay with them. Constantly, that they may be Ready to tackle at the Shortest notice, the Waggon masters are Required to See this order Carefully Executed, The Enemy have Disencumberred themselves of all their Baggage that their movements may be Quick & easey; it behoves us to be alike ready for marching at a moments warning & for that Reason it is absolutely necessary, & the Commander in Cheif positively requires that both officers & men remain constantly at their Quarters. Tattoo is no longer to be beat in Camp.

TIM PICKERING
Adjt. Genl

Sepr 6th 1777

Division Orders

That the Waggon horses be fixt to the Waggons at retreat beating every night & keep them so till 9 the next morning & even then they are by no means to be Separated from the

Waggons, so as to take 5 Minutes to get them fixed, the Commanding Officers of Regts & Corps to See those orders Complied with, the Commissary of the Division to provide himself immedietly with Sufficient Waggons to move his Stores & is to be Ready to move at A moments warning, his Remaining behind the Division Shall Subject him to A Tryal by A Court Martial for breach of orders, the Artillery horses to be fixed to the pieces one hour before day each morning; A Subl. & 20 men to mount guard every night at the Bridge from 6 in the evening to 9 in the morning to examine all Strangers that are passing, & to apprehend Such as do not give Satisfactory Account of themselves; all offenders not tryable by A Regimental Court martial to be Sent to the provost guard, The picquet guard to be Releived tomorrow morning in the Same manner it was this morning, the Prisoners in the Main guard are order'd to the QrGuards of their Respective Regts And to be tried by A Regimental Court Martial, the main Guard is desolved, Walter Cox Esqr. is appointed Acting Brigade Major in Genl Smallwoods Brigade in the absence of Genl Smallwood & is to be respected & obeyed as Such.

6th Sepr 1777

Brigade Orders

The Commanding officers of Regts will be pleas'd to order Weekly Returns to be made out & deliver'd to Majr Cox immedietly that proper details may be made out.

HEAD QUARTERS Newport 7th Sepr 1777

General Orders

Parole Cambridge C: Sign Dartmouth Granby
Major General for tomorrow Stephens
Brigadier Weeden, Field Officers Col. Marshal

Major Ballard, The Genl has Received A Confirmation of the Intilligence mentioned in the after orders of last night, that the Enemy has Disencumber'd themselves of all their Baggage even tents Reserving only their Blankets, & Such part of their Clothing as is Absolutely Necessary, this Indicates A Speedy and Rapid movement, & points out the necessaty of following the example & Ridding ourselves for A few days of all things we possible can dispence with as A verry Imperfect obedience has been paid to former orders on this Subject, now once more Strictly enjoins that all baggage which can be Spared Both officers & men, be immedietly pack'd up & sent off this day to the otherside Brandewine, this order having been heretofore eluded by A too Indulgent Contraction of the Genl terms on which it has been Couch'd, the Genl is oblidg'd to be more explicit & to Declare that is his Intention the Officers Should only Retain their Blankets & Great Coats & only three or four Shifts of under Cloaths, & that all the men Should besides what they have on keep only a Blanket, one Shirt a piece & Such as have great Coats, all trunks Chests & boxes either bedding or Cloaths then these mentioned, to be Sent away till the elapsing of a few days Shall determine whether the Enemy means to make an immediate attack or not, its hop'd that none will have So little Sense of propriety as to deem the measure So obvious for the good of the Army & the Service (Hardships) it would be wholly in the extream to hazzard the loss of our baggage for the Sake of a little present Convenience as

loss at this time would be irrepareable this disadvantage at this time to have them to take Care of at the moment of an attack when we Should be preparing for defence, its evident that the attention of both officers & men will then be wholly engrossed for its Safety, & the enemy will have time to be upon us before we are Ready to receive them the Consequence of this will be bustle & confusion & perhaps Defeat & disgrace, the loss of our baggage & not Improbable the ruin of the army, the Commander in Cheif in A perticular manner looks to the Genl Officers for the execution of these orders in their Respective Divisions & Brigades.

The whole Army is to Draw two days provisions exclusive of today, have it Cook'd & deposited with the Regimental Qr-Master, Provided Salt provisions can be got, otherwise one days fresh Provisions to be Cooked deposited as aforesaid & two days hard Bread if to be had.

All the Horses except Capt. Lewes's Troop take post on the Right of the army, tents of the whole army are to be Struck & pack'd upon the Waggons to morrow morning an hour before day and the horses tackled, all the Corps of Horses are to be Saddled at the Same time & the Whole Army Drawn up in their Respective lines, the QrM. Genl is to Spare no pains Immedietly to provide Waggons to Carry the mens Knapsacks, that they may be perfectly light & free for Action.

No more Sick to be Sent to Concord but to Bermingham.

Sepr 7 & 8th 1777

Division Orders

The Officers for tomorrow from Gen. Smallwoods Brigade (8th) The tents of the Division to be pitch'd at 11 OClock, 100 men with 2 Capts & 4 Subalterns to be paraded near Genl

Washingtons Quarters at 10 OClock this forenoon the Command to be taken by A Lt. Coll. from Genl Deborres Brigade, they are to have with them provision & Blankets & are to ground their Arms at the place of parade & remain there untill the Field officer Repairs there.

Brigade Orders Sepr 8th 1777

Commanding Officers in Regts in Genl Smallwoods Brigade to order two days provisions to be immedietly drawn & Cook'd, the Soldiers Arms to be put in the best order, Catridge Boxes filled with Catridges, & hold themselves in Readiness to march at a moments Warning, the Commissary of ye Brigade is ordered to furnish A Sufficient Quantity of Provision otherwise his neglect will be enquired into.

It is meant to have two days cook'd on hand.

Monday Sepr 8th 1777 (Near Newport)

Struck tents & went to work in the lines, lay there till 3 OClock Tuesday morning the 9th then March'd about 10 miles to Chadds ford & forded over & there encamped, Wednesday ye 10 march'd to gordons ford being about 4 miles there lay all night, Thursday the eleventh about 2 OClock P. M. march'd About 1½ miles to the field of Action near Jeffries at Brandewine our Regt was Sent as A flanking party on the Enemys left wing, during the engagement we were Several times exposed to the fire of the enemys Cannon & Small arms.

About Sun set retreated to Chester being 15 miles.

Friday 12th march'd through Derby to Schuylkill being 12 miles and encamp'd near the Bridge on this the River Phlada County.

HEAD QUARTERS Sepr 12th 1777

General Orders

The Commanding Officer of each Brigade is immedietly to Send off as many Officers as he Shall think necessary on the Roads leading to the place of Action Yesterday & on any other Roads where the Straglers may be found & perticularly to Wilmington to pick up all Straglers from the Army and bring them on; in doing this they Should proceed as far towards the Enemy as Shall be convenient to their own Safety, and examine every house, in the main time the troops are to march on in good order through Darby, to the Bridge towards Schuylkill & Germain town & there pitch their tents, Genl Greens Division will move last & cover the Baggage Stores. A Gil of Rum or whiskey is to be Served out to each man who has not already that allowance.

Genl Smallwoods light troops will remain at Chester to Collect all the Straglers as they come and tomorrow morning follow the Army, the Directors of the Hospitals will see that all Sick and wounded are Sent to Trentown in doing this Genl Maxwell will give them all necessary assistance, the Genl expects each Regt or Officers commanding Brigades will immedietly make the most exact Returns of their killed wounded & missing.

AFTER ORDERS

The Officers are without loss of time to See that they are Compleated with amunition, that their arms are in the best order, the inside of them washed clean & well dried, the touch holes pick'd & a good flint in each gun, the Strictest Attention is expected will be paid to this order as the officers must be Sensible that their own honour, the Safety of the Soldiers &

Success of the Cause depends absolutely upon a carefull execution of it, the Commanding officers of each Regt is to endeavour to procure Such necessaries as are wanting for his men.

An exact Return of ye State of each Regt to be made immedietly.

Major Genl for tomorrow Stevens, Brigadier Conway.
Field officers Coll. Lewes, Major Ball.

Saturday ye 13th Sepr 1777

Struck tents and march'd through Germaintown & encamped about one mile on the N. W. Side of Germainton in an orchard being about 8 miles. Philada County.

Pensylvania State Head Qrtrs Germainton Sepr 13th 1777

General Orders

Parole Concord—C: Sign Carlisle (Danburry)

The General with perticular Satisfaction thanks those Gallant Officers & Soldiers who on the 11th Inst bravely fought in their Countries Cause; if there are any whose Conduct Reflects Dishonour upon Soldiership and their names are not pointed out to him, he must for the present leave them to Reflect how much they have injured their Country, how unfaithfully they have proved to their fellow Soldiers but with this exortation they embrace the first opportunity which may offer to do Justice to both, & to the profession of a Soldier.

Although the event of that day from some unfortunate circumstances was not so favourable as Could be wished, the Genl has the Satisfaction to inform the Troops, that from every

account that has been obtain'd the Enemies loss far exceeds, and has full Confidence that in another appeal to heaven, with the blessing of Providence, which it becomes every officer & Soldier humbly to Supplicate, we Shall prove Successfull, The Honourable Congress in Consideration of the gallant behaviour of the Troops on Thursday last, their fatague Since & from a full conviction that on every future occation they will manifest a bravery worthy of the Cause they have undertaking to defend; have been pleased to order thirty Hogsheads of Rum to be destributed among them, in Such manner as the Commander in Cheif Should Direct, he orders the Commissary Genl of Issues to deliver to each officer & Soldier 1 Gill pr day while it lasts.

The Commanding Officers of each Brigade without delay is to Send a number of Active Officers into the City & its environs to pick up & bring to Camp all Stragling Soldiers whome they may find, as well those belonging to other Brigades as their own, likewise a Serjeant from each Brigade, to the Bridge over Schuylkill to direct the Soldiers as they Cross where to find their Brigades, at Roll Calling this afternoon the men are to be Charged not to be out of Drum call of their respective Parades, under pain of death, nor officers, as they value the Service & dread Cashiering.

The QRM. Genl is to have the Waggons of each Brigade Immedietly Arranged So as to move them in their proper time, at a moments warning, the order of the Encampment at this place need not be attended too, as our Stay here will be Short, each Division is to encamp in as Compact order as possible tonight, all the Continental Troops are to be Suppli'd immedietly with forty Catridges, & the officers will see that the Soldiers carry their Spare Amunition in Such a manner as to avoid Injury & Loss; The Clothier General is ordered to Send Spare Shoes Shirts &c. to Camp, to furnish such men as are destitute,

the Commanding officers therefore of Corps are to delay no time in Supplying the Absolute want of their men.

The Genl does most ardently exhort every officer to attend to the due & Speedy execution of these orders without A moments loss of time.

After Orders Sepr 13th 1777

The following proportion of tents is Allowed the Army upon its next march Viz. 1 Soldiers tent for the Field officers 1 Do. for 4 other Commissioned officers 1 Do. for 8 Serjeants, Drummers or fifers 1 Do. for every 8 Privates.

The Brigadiers to have Returns made out And the above proportion of tents taken for their Brigades & one Waggon for every 50 tents & no more, no weomen on any pretence whatsoever to go with the army but to follow the Baggage, the Soldiers to carry their Camp kettles, which if the army Should Come to Action are to be put in the waggons with the tents, the invalids under A good Subaltern are to guard the tents of each Brigade. The Division Commissaries are directed to have A good Supply of Provisions for troops, and the QRM. Genl must without fail furnish the necessary Waggon for that purpose a Gill of Rum or other Spirits to be dealt out to every officer & Private untill further orders, the Commissaries are to make provision Accordingly.

The Army are to be Ready to march presisely at 9 OClock tomorrow morning. the Genl Officers commanding Divisions will Receive the orders of march from the QRM. Genl who will also Direct the Rout of the Baggage.

HEAD QUARTERS Germainton Sepr 14th 1777

General order for the line of March.

The troops are to march to Sweeds ford in the following order by Sub Divisions from the Right.

1st Two thirds of the Light Dragoons from which their Commanding Officer will Detach Small parties to Reconitre in front and on the flanks to A Considerable distance, 800 yards in the Rear.

2ndly A Captains Command from Genl Smallwoods Brigade.

3dly One Regt from Smallwoods Brigade 200 yds in the Rear.

4thly The Residue of his Brigade 300 yds in the Rear of that.

5thly The main Body of the Army 500 yards in the rear of that Brigade.

And in the Following order Viz.

1st General Sullivans Division.
2d Lord Sterling.
3d General Waynes.
4th The park of Artilery.
5th Genl Nash's Brigade.
6th Genl Stevens Division.
7th Genl Greens Division.

6thly The Waggons with tents, Hospital & Commissaries Stores, 7thly Rear guard of two Regts of Genl Weedens Brigade 8thly A Captains Command from these two Regts 200 yds in the rear 9thly The Remaining 3d of the Dragoons 500 yds in ye rear of the foot, 10thly A Subalterns command from the Dragoons 500 yds in their Rear, the guards in front, and near each Brigade to send out Small flanking parties in their left, the rear guards of foot & Dragoons to pick up all Straglers.

Sunday 14th September Struck tents & March'd from Germainton & Forded Schuylkill at Davis's ford, then march'd to the Sign of the Brick on the Lancaster Road Chester County & lay in the woods being about 11 miles.

HEAD QUARTERS 14th September 1777

General Orders

Major Genl for tomorrow....Sterling.
Brigadier .....Wayne.

Officers for the Day Coll. Hendricks, Major Brawster, Major Fleury, Officers for Picquet Coll. Ogdon, and Major Flower The whole Line while it keeps unseperated is to furnish 600 men properly Officer'd for guard, each Brigade to give in proportion to their Strength, these men are to be under the immediate direction of the Major General & the Officers of the day who with the Assistance of the QRM Genl agreeable to the orders of the 10th Inst, are to See that their out guards are posted in Such A manner as most effectually to Secure the Camp, if the Differrent Avenues Should not Require the Above number, the overplus is to remain as A Picquett near the park of Artilery, & to be always Ready to reinforce every Guard, or answer every other purpose that the Major General or other officer of the Day Shall think Necessary these guards in Common are to parade at 8 OClock in the morning near the Artillery Park, but when ever the troops are to march, they are to Assemble there at least half an hour before the time appointed for the March of the Army, & from thence the Major General or other officer of the day, will order so many as he or they Shall Judge necessary to move on with the QRMaster to the place of Destination, & after the

Guards & all the Avenues to the new encampment are well Reconitred the guards are to be posted; Such troops as have not been Supplied with their Compliment of Catridges agreeable to the orders of the 13th Inst, are to be furnished immedietly the Troops are also to get provisions cook'd for tomorrow at least; the Clothier Genl is attending with Shoes &c.

The officers commanding Regts are to delay no time in getting their men Supplied in future when ever the men are found for Action the Serjeants are to be plac'd in the ranks on the flanks of the Sub Divisions, that the Benefit of their fire may not be lost, the Brigadiers & officers Commanding Regts are also to put some good Officer in the Rear to keep the men in order, & if in time of Action any man who is not wounded whether he has arms or not turns his back upon the Enemy or attempts to run away, or to Retreat before orders are given for it, those officers are to put him instantly to death, the man does not deserve to live who basely flies, breaks his Sollemn engagement & betrays his Country. Such men Belonging to Genl Maxwells light Corps as have Returned to their Regts are again to Join Genl Maxwell without Delay And the Officers Commanding Regts are to make dilligent Search for those men, & See that they are Sent to Join that Corps Immedietly.

Monday 15th September march'd about 14 miles on the Same Road pitch'd our tents in the woods at night, Chester County.

HEAD QRTRS 15th Sepr 1777

General Orders

The Commanding Officers of each Regt is immedietly to make an exact inspection into their mens amunition, & See

that it is Compleated to 40 Rounds A man, provision to be Drawn & Cook'd for today & to morrow the Commander in Chief expects a punctual & Instant comply with these orders.

THOS. PICKERRING
Adjt Genl

Tuesday 16th Sepr. Struck Tents Cross'd the main Road and paraded in line of Battle in A Buckwheat Field expecting the enemy in order to give them battle, began to rain verry hard & Continued all day and night, filed off to the left & march'd 11 Miles to the Yellow Springs there Stay'd all night on the Brow of a hill without tents (Chester County) Wednsday 17th march'd and Cross'd French Creek Bridge being 6 miles went 3 miles further there Stayed all night being 9 miles (no tents) Thursday 18th march'd About 3 OClock in the morning, to Reading Furnace being 12 miles & there encamp'd on the brow of an hill, Friday 19th returned back to our last encampment being 12 miles, filed off to the left and forded Schuylkill & march'd towards ye Sweeds ford 7 miles and halted in the woods at 10 OClock at night march'd through the trap to Richardsons ford being 10 miles (in all 29 miles) Philada County.

HEAD QUARTERS Richardsons ford 20th Sepr 1777

Division Orders

Field officer of the day from Coll. Hazens Brigade for to morrow from Coll. Stones do.

The Conductors of military Stores for the Division to See that there is A Sufficient Supply of Suitable Ammunition got immedietly the Commissaries is to deliver out for to day A double allowance of Fatague Rum;

The Commanders of Brigades to See that their amunition is in good order & to have it carefully examined, also to Send their Respective QRMasters out for provisions, Sufficient to Supply the present necessaty of the Division, they giving Receipts for what they Receive for that purpose, unless the Commissaries Should Supply the Same; An orderly Serjt from each Brigade to be sent immedietly to the Genls Qrtrs; Coll. Stones Brigade to furnish the Generals guard as soon as possible.

HEAD QUARTERS Richardsons ford 21st Sepr 1777

Division Orders

The General is much Surprised that through the Ignorance of Some of our Officers, a British flag has Cross'd the River and come into our encampment without being Stop'd, the General expressly orders that in future no flag from the British army, be permitted to Cross the Schuylkill on any pretence, and all officers who may hereafter permit it, Shall be punished for breach of orders;

The Commanding officers of Companies are to order the amunition of their men to be inspected into at every time the Roll is Call'd & call their men to an Acct for Such ammunition as may be wanting, the Reason of the foregoing order will readily appear when it is known that men have made A practice of Destroying their powder & throw their balls about the Street, such conduct being of the most alarming nature will enduce every officer to watch the conduct of his Soldiers respecting so important A point, The Brigade Major of Coll. Stones is immedietly to repair to the Long ford with A Subaltern from Coll. Stones Brigade and relieve the one Station'd there, & put him in arrest for permitting A Brittish flag to pass the ford into our encampment without being examin'd or Stopp'd at the post committed to his Charge.

Sunday 21st Sepr march'd about 3 in the afternoon down to the bank of the Schuylkill being about 2 miles lay under arms all night, Monday 22nd march'd 2 hours before day about 10 miles on the Reading Road Stopp'd in the woods to Refresh about 2 P. M. march'd 5 miles further and encamped in A place Called Faulkners Swamp; (in all 15 miles) Philada County.

New Hannover Hd Qrs Sepr 23rd 1777

Genl Orders

Major Genl for tomorrow.....Sterling
Brigadier .....Weeden
Field Officer Coll. Duncomb, Lt. Coll. Ennis, Brigade Major Fleury; Major Stubblefield.

The Genl expects Returns of the Army to morrow morning without fail, enjoins it upon the Commanding Officers of Corps to see that they are exactly made, each Regt is to proceed to make Cattridges for its own use that they may be held in Store, Genl Knox will furnish them with materials, It is expected as the weather is cool, that the troops will never have less than two days provisions by them the necessaty of this the Genl does in the Strongest manner impress upon the officers in hopes they will exert themselves in Seeing it executed, as the Soldiers or the Service must greatly Suffer unless this is attended to; The Genl is informed the Tin Cannisters which were Serv'd out for the purpose of Carrying amunition are in Some instances employ'd to other uses he therefore positively forbids Such practices;

Jas Loyd is Appointed Volunteer A. D. C. to General Green & is to be obey'd & respected as Such, the Sick in Camp are to be Sent immedietly to the Artillery Park, or house, or Barn nearest thereto, that the Surjeons may Send them in Waggons

to Reading, A Carefull Subaltern from each Division is to go with them, If so many are not necessary the Surjeon General will dismiss Some of them, each man is to take one days provision with him.

Wednsday 22th Sepr. Struck tents & march'd about ½ a mile, then return'd & pitch'd tents in the Same encampment, (1 mile this day).

September 23rd 1777

Division Orders

Field Officer of the day to morrow from Coll. Stones Brigade.

Major of the Day tomorrow Cox.

A Picquett Consisting of one Field officer, four Captains, Eight Subalterns, with A proportion of non Commissioned officers and 200 Privates to be paraded at the park of Artillery every morning precisely at 8 OClock, the detail to be in proportion to each Brigade excepting the Detail of tomorrow which is to be equal—one Field Officer, 2 Capts 4 Subtns with Serjts & Corpls in proportion & 100 Privates from Coll. Hazens Brigade.

The Brigade Major for of the day for ye Division to See that the Pickett is on the Division Parade, by 7 OClock in the morning in order that he march them to the park of Artillery Agreeable to the time appointed.

HEAD QRS near Bligrove 24th Sepr 1777

General Orders

Major Genl for to morrow Stephens.

Brigadier Scott, Field Officers Col. Farmer, Lt. Col. Ford, Brigade Major Williams, Field officer for Picquett Major Bell.

Sepr 24th 1777

Division Orders

Field Officer of the Day tomorrow from Col. Hazens Brigade.

Field officer for the Reserve Picquett from Col. Stones Brigade.

Major of the Day tomorrow Flury;

A Court of Inquiry to Sit tomorrow morning at 9 OClock to inquire into the Conduct of Lt. Coats of Col. Prices Regt at the Battle of Brandewine, Col. Gunby President of Said Court, 3 Capts & 3 Subs from each Brigade, to Sit as members.

HEAD QRS Sepr 25th 1777

Genl Orders

Major Genl for tomorrow.....Sullivan.

Brigadier .....Conway.

Field Officers Col. Grayson, Lt. Col. Deffart.

Brigade Major Cox, for Pickett Lt. Col. Barber. A General Court Martial to Sit immedietly at the house where Genl Conway Quarters for the tryal of all prisoners, which Shall be brought Before them; Col. James Wood is appointed President of this Court one Carefull Subt from each Regt is to be Sent off to Bethlehim with Col. Biddle immedietly, to inspect

the Baggage of the army, to See if it Suffers from Dampness, & if it does, to have it properly dried and put it up again, & then to See that it be well Secured, & guarded against Plunderers, these Officers are to Assemble at 3 OClock in the afternoon at the QRM. Genls Qrs the next house beyond Head Qrs. Hence forward all Brigade Returns are to be made directly to the Adjt Genl; Ordinary Weekly Returns of each Brigade to be made every Monday at orderly time. Parole Bunker hill.

C. Sign { Bennington. / Brandewine.

Sepr 25th 1777

Division Orders

Field officer of the day tomorrow from Col. Stones Brigade the Pickett in future to consist of 111 men 2 Capts & 4 Subs Col. Hazens to furnish for his part 1 Capt. 2 Subs Serjts & Corpls in proportion & 61 men, Col. Stone for his part 1 Capt. 2 Subs with a proportion of Serjeants & Corporals & 50 men, The Brigade Majors to march their own men on the Grand parade every morning.

Head Qrtrs Postgrove Sepr 26th 1777

Genl Orders

Parole Princeton C Sign { Trenton. / Bristol.

Major General for tomorrow.....Green.

Brigadier .....Nash.

Field Officer Col. Martin of the North Carolina Troops,

Lt. Col. Pope of the Delaware Regt.

Brigade Major Scott.

Field officer of the Pickett the Lt. Col. of the 6th Pensylvania Regt the troops are to be Ready to march at 9 OClock

this morning with all Baggage Pack'd & paraded, to march off by the Aft. all the tent Waggons to go next in the Rear of the troops, in the order in which the troops march & then the rest of the Waggons the leading Division (Greens) to beat a march, & march to be followed by the other troops in their order.

The Commander in Chief approves of the Following Sentences of A Genl Court martial held the 25th Inst whereof Col. James Wood was President, Jno. Famdon of Col. Hartleys Regt Charg'd with Desertion to the enemy & Inlisting with them, the Court are of opinion that the prisoner is not guilty of inlisting with the enemy, the Court upwards of two thirds Agreeing, do Sentence the prisoner for the Charge of Desertion to Suffer death. James Dilworth of Col. Moylands Regt light Dragoons Charg'd with Deserting & attempting to go to the enemy Acquitted, & is to be Sent forwith to Join his Regt Daniel Applegate of the 1st New Jersey Regt Charg'd with desertion & attempting to go to the enemy Acquitted & is forthwith to Join his Regt.

The bad & wicked practices of Plundering the Inhabitants being Still Continued notwithstanding all former orders, some cases in the most attrocious manner, the Commander in Chief requires the Genl orders of the 4th Inst relative thereto, be Solemnly read without delay by the Commanding officer of each Regt to his men the punishment denounc'd in those orders will be instantly inflicted on the offenders— The Genl being informed that many Regts have but one orderly book, he in Some measures ceases to Wonder that orders are so little known and so frequently disobeyed untill each Company can be furnished with one, the Officers commanding Regts are to See that their officers & men are clearly informed of every order which concerns them respectively, by Reading or causing

the same to be Read to them, Should this be in future a grounded plea of Ignorance of orders, the Commanding officers of Regts will Consider themselves as answerable therefore.

Friday 26th Sepr. Struck tents and forded parkaoming Creek & encamp'd on the brow of a hill near S'd Creek being 7 miles Philada County.

Head Qurtrs 27th Sepr 1777

Genl Orders

The Genl Court Martial of which Coll. Wood is president is to Sit immedietly at the house next above Head Qrs as the troops will Rest to Day, Divine Service is to be perform'd in all the Corps that have Chaplains; one orderly Serjt from each Brigade is to attend forthwith at Head Qrs & the Brigade Majors will see that done immedietly, every day when orders have not been previously given for marching an orderly Serjt from each Brigade likewise to attend Genl Court Martials Such Regts who have not already made up their Catridges so as to compleat 40 Rounds a man at least are to do it this day without fail, the Commanding Officers of Regts are to See this done, & all their Spare Amunition to be mark'd and put into an Amunition Waggon, & to follow, for each Division, the men are to carry only their Cartruch Boxes full & Cannisters.

Major Genl for tomorrow Stirling.

Brigadier ——— Field Officers Col. Ogden & Major Forrest of the 3rd Maryland Regt, Brigade Major Barber, for Pickett Lyon.

HEAD QURTRS Pennysakers Sepr 28th 1777

Genl Orders

Major Genl Sullivan, Brigadier Scott, Lt. Col. Nelson, Majr Morris, Brigade Major Peears;—

The Commander in Chief has the happiness to Congratulate the Army on the Success of the American Arms to the Northward, on the 19th Inst an engagement took place between Genl Burgoins Army and the Left wing of ours under Genl Gates, the Battle began at 1 OClock, & lasted till night our troops fighting with the greatest Bravery not giving an Inch of Ground, ours is about 80 killed & 200 Wounded, the Enemy is Judged to be about 1000 killed wounded & taken prisoners; both prisoners & Deserters declare that Genl Burgoine which Commanded in person was wounded in the left Shoulder. The 62 Regt was Cut to pieces & that the enemy Suffred extreamly in every Quarter where they were engaged, Such was the order of our troops that wounded men after being drest renew'd the Action, the Commander in Cheif has further occation to Congratulate the troops, on the Success of A Detachment from the North army under Col. Brown, who attacked & Carried Several of the enemies posts, & had got possession of the old French lines at Ticonderoga, Col. Brown in those Several attacks has taken 293 of the enemy prisoners with their arms, Retaken more than 100 of our men & taken 150 Batteaus below the falls, Including 17 boats & arm'd Sloops Besides Cannon, Amunition &c.

To Celebrate this Success the Genl orders that at 4 OClock this afternoon, all the troops to be paraded and Serv'd with one Gill of Rum a man and that at the Same time there be Discharged 13 pieces of Artillery from the park; All Spare Amunition in those Divisions that have not Close Spare Waggons to Secure it in, it is to be return'd to the park of Artillery.

Monday 29th Sepr. Struck tents at 10 OClock this morning & march'd 5 miles on the Skippack Road towards Philada and encamp'd on the Right Side of the Road in the woods within 20 yds of our Alarm post, Worcester Township Philada County.

Sepr 29th 1777

Regimental Orders

The Commanding Officers of Companies are desired perticularly to examine the arms of their Respective Companies & See they are in proper order, that an officer of each Comp'y attend the Dividing of provisions for their men, that A Perticular return be made out of the names of each man as is present, & also those that are absent & upon what Duty by the Commanding officers of Companies.

Head Quarters 29th Sepr 1777

Genl Orders

Major General for tomorrow.....Green.
Brigadier .....Conway.
Field Officers Col. Cook, Lt. Col. Estcort, Brigade Majr Day.
Officer for Picqett the major of the 3d Maryland Regt.

John White Esqr is appointed a volunteer Aid De Camp to Major Genl Sullivan, Lt. Col. Hendricks is appointed to the Rank of Col. of the first Virginia Regt in the Room of Col. Read Deceas'd, Major Jennings of the 13th Virginia Regt to be Lt. Col. of the 6th in the Room of Lt. Col. Hendricks, Promoted Captn Alexr Campbell of the 8th to be Major of the 13th.

The Brigadiers or Officers commanding Brigades, are to parade their Respective Brigades at 8 OClock to morrow morning & under their own Eyes, have exact returns made of the Officers & men present on the Ground, which return they are immedietly afterwards to transmit to the Adjt Genl; Such of their Officers as are absent, and not on duty or Sick they are as Speedily as possible to order to Join their Corps, and if any Such officers are taken by the Enemy they will not be exchanged.

3 Parties of 150 Men each are to parade at Sun rise at the Park of Artillery with one Days Provision Cook'd, not to have their Packs. Major Joyce Suris'd & Major Howell are to Command these parties.

HEAD QRS at Skippack 30th Sepr 1777

Genl Orders

Major Genl for to morrow.....Lord Sterling.
Brigadier .....Forman.
Field Officers Lt. Col. Syms, Major Bloomfield, Brigade Major Johnston.
Field officer for Picquett Lt. Col. Ervin.

A Flag will go to the Enemys lines to morrow morning, all persons who have anything to Send in, are to have them Ready at Head Qrs by 7 OClock in the morning; one Surjeons mate from each Division who can best be Spared is to go to Bethlehem forthwith and to bring down to the army the Medecine Chests of their Respective Divisions, 150 men from Genl Sullivans, Greens, Sterlings, & Stevens Divisions each Brigade is to be Selected this day, and a like proportion from the other Brigades, these men are always to Carry their Axes with them & to march with the Picquett when the army moves, to prepare

timber & Repair the Roads; When Arrived at the New encampment, they are to cut fire wood for their Respective Brigades, the Brigade QRMaster are Constantly to go with their men & Direct them in the Buisness above mentioned, for these Services they are to be excused from all guards & other ordinary Duty; but when an Action is expected they are to Deliver their Axes to their Brigade QRMaster who are to be Accountable for the Axes of their Brigades, & Join their Several Corps, A list of their names to be given without Delay to the Brigade QRMaster by the Respective Brigade Majors.

Detail for Axmen

	Ser	Privates
Smallwoods	1	14
Deborres	1	14

Head Qrts 1st Octbr 1777

Genl Orders

Major General for tomorrow.....Stephens.
Brigadier .....Nash.
Field Officer Col. Dayton, Majr Smith 5th M. Regt.
Do. for Picquett Major Copper; Brigade Major Williams.

The Commander in Cheif approves the following Sentences of A General Court Martial held the 28th of Sepr whereof Col. James Wood was President, Lt. Robt Gray of Col. Hazens Regt Charg'd with repeated Disobedience of orders; Acquitted.

Adjutant Kincaid Acting Brigade Major to Genl Scott Charg'd with not bringing his Picquett on the Grand parade in proper time; Acquitted.

Detail as order'd yesterday; where A Field Officer is named for Duty, when he is Sick or absent the Brigade Major to which he belongs is to warn another in his Stead.

And Report his name to the Adjt. Genl when an A. D. C are from Camp with their Major Genl the Brigade Major is to be notified thereof and are Directed to attend at Head QRs for orders at orderly time, the Brigade QRMasters are to apply to the QRM. Genl for their Quoto of Axes for the purpose mentioned in yesterdays orders, no more fences to be burnt on any pretence, if unavoidable necessaty compels us to it, leave must be first obtain'd from the Commander in Chief The Paymasters of Regts & Corps are to bring in their pay Rolls for the month of August properly examined & Certified that Warrents may be given for payment.

After Orders

The whole Army are to Strike their tents tomorrow morning at 8 OClock and get Ready to march, at 9. The march to begin; Genl Sullivans Division Leading, followed by lincolns, McDougalls, & Greens, these four the first line, then the Park of Artillery, then the 2nd line in this order—Sterlings, Nash's Stephens, Genl Sullivans to beat A march as A Sign all for marching, the beat to be Continued By the others Successfully, the whole are to encamp on the new ground, in the Same order, Genl Armstrong is at the Same time to move by the Shortest Rout to the Right of the first line, and Genls Smallwood & Forman to the left of it, on the ground, the QRMGenl will appoint the Waggons to go in the rear of the Army, in the order of the Brigades to which they Belong, all the Tent Waggons first, Regimental QRMasters are to See that Vaults be dug immedietly upon the Army's arrival on the new Ground, and any Soldier found easing himself elsewhere is

instantly to be made Prisoner & punished by A Regimental Court martial. The Brigade QRMasters are without fail to See all ofal Buried every morning & are to apply to their Brigades for men for that purpose, Brigade or Regimental QRMast. failing in the duty here required of them are forthwith to be arrested.

Some person from each distinct body or brigade (of militia) is to attend dailey at Head Quarters for orders at noon Each Brigade QRMaster is to make an immediet Return of the number of Brigade Waggons in his Brigade to the QRMGenl.

An Officer from each Brigade is to remain till the troops have march'd & then to make Search for, & bring on all Stragglers.

October 12nd. Struck tents at 8 OClock this morning And March'd at 9 about 3 miles on the Same Road And Encamp'd in an old Field on the Right hand of Said Road, & 20 Miles from Philadelphia.

Head Qrs Octbr 3rd 1777

Genl Orders

Major Genl for tomorrow.....Green.
Brigadier .....Weeden.
Field Officers, Col. David Hall, Lt. Col. Green, Brigade Major Cox, for Picquett Major Morrill.

The Commander Cheif approves of the Following Sentences of A Genl Court martial whereof Col. James Wood was President.

Nicholas Francis charg'd with Deserting from Col. Hazens Regt & Reinlisting, found guilty & Sentenc'd to Receive 100 Lashes, the above Court is Disolv'd. A Genl Court Martial is

to Sit immedietly at A tent near the Artillery Park, Col. Josia Parker to Preside; Lewis Fleury is appointed Brigade Major to Brigadier Count Poleskie of the Light Dragoons, Thomas Mullen Esqr. is appointed to act as A Brigade Major to Genl Conway till further orders, they are to be Respected as Such; the Distribution of tin Cannisters to be made as perticularly Directed this morning, the Commanding Officers of Regts are themselves to See that they are put into the hands of proper men & fill'd with Catridges carefully Stowed in them. The Engineers are to make Despach in throwing up Works in the front of the encampment. The Genl has the Satisfaction to inform the Army that the Continental Frigate the Randolph fell in with a fleet of 5 of the enemys Ships & took 4 of them, one mounting 20 Guns, & the others 8 all Richly Laded to the Southward. At the Northward every thing wears the most favourable Aspect, every enterprise has been successfull, & in A Capital Action the left wing only of Genl Gates's army maintain'd its Ground against the main body of the enemy Commanded by Genl Burgoine in person, our troops behaving with the utmost spirit & bravery during the whole engagement which lasted from one OClock till dark, in Short every Circumstance promises Success in that Quarter equal to our most Sanguine wishes, this Surely must animate every man under the Genls immediate Command; This army the main American Army, will not suffer itself to be out done by their Nothern Brethern, they will never Such Disgrace, but with ambition becoming freemen, contending in A most Rightous Cause rival the Heroic Spirit which Swell their Bosoms, & which so nobly exerted has procur'd them Deathless Renown. Covet my Countrymen and fellow Soldiers Covet a Share of the glory due to Heroick deeds, let it never be Said in the day of action you turn'd your backs upon the foe, let the enemy no longer triumph, they brand

you with ignominious epithets, will you patiently enduer that Reproach, will you Suffer the Wounds given your Country to go unrevenged, will you Resign your Parents, Wives, Children, & Friends, to be the wretched Vassals of A proud insulting Foe, & your own necks to the Halter, Genl Howe promised protection to Such as Submitted to his power, & A few Dastard Souls Accepted the Disgracefull boon, but his promises were Deceitfull, the Submitting & Resisting had their property Alike plunder'd & destroy'd, but even these empty promises of Protection have now come to an end, A term of mercy is expired, Genl Howes has within A few days proclaimed all who had not then Submitted to be beyond the reach of it, & left us no Choice but Conquest or Death, nothing then Reamins but nobly to contend for all that is dear to us, every motive that can touch the Humane heart, Call us to the most Vigourous exertions, our dearest Rights, our Dearest friends, our own lives, Honour, Glory, & even Shame urge us to Fight, & my Soldiers when an oppertunity presents itself be firm. behave, & Victory is Yours.

The Cols are to See every Regt Draw up this Afternoon & these orders Distinctly Read to them, Every Officer who Commands Troop or Company in the Several Corps must immedietly make out his muster Rolls to the first of Octbr that the whole army may be muster'd with the greatest expedition, Such Officers as have heretofore neglected A due attention to making Regular Returns, Will be answerable for future Neglects.

Friday 30 Octbr march'd about 7 OClock in the evening down to the Enemys Lines at Germain town being about 13 miles, attacked their Picquett Saturday morning between day & Sun Rise, drove them in uppon which A Genl engagement ensued on our Right Wing, We Caused their Left Wing to

Retreat 3 miles through their own Encampments, but upon their Receiving A Strong Reinforcement & our Amunition being almost Spent, & not being Supported Sufficiently by the Reserve, were oblig'd to Retreat and Return to our encampment being 13 miles, Sunday 5th Octbr march'd & Cross'd Perkaoming Creek and encamp'd about a mile from Said Creek being in all about 9 miles.

HEAD QRS Skippack Octbr 5th 1777

Genl Orders

Major Genl for tomorrow.....Stephens.
Brigadier .....Mulenburg.
Col. Clark, Lt. Col. Conner, Brigade Majr Poors, for Picket M Mullen.

The Officers Commanding Regts are to make Returns of the number of Catridges wanting to compleat their men with forty Rounds each, & draw Materials for making them from the park of Artillery to morrow morning, one attentive Officer from each Regt is to Superintended & be present at the making of them & See that they are well made, & the materials not Wasted, the Arms are to be put in good order, Such as are Charged & Cannot be Drawn are to be Discharged at Noon; tomorrow under the Directions of their Officers, each Regt is to Draw 12 Rounds pr man Ready made at the park of artillery besides the Above materials, Small parties of Horse are tomorrow morning to be Sent up the Different Roads above the present encampment of the Army, as far as ten miles in order to Stop all Soldiers & turn them back to the Army, except the two parties under the Command of Craig and Lee.

Returns as Soon as possible to be made of the Killed Wounded & missing, in the Action of yesterday, and Deliver'd to the Commander in Chief at 4 OClock to morrow in the Afternoon, the Brigade Majors will be punctual to this matter, & where there is no Brigd. Majrs the Brigadiers or Officers Commanding Brigades are to appoint persons to do their Duty; One Set of Collumns are to Shew the Killed, of the Differrent Ranks, & Second the wounded, & third the missing.

The Commander in Chief returns his thanks to the Genls And other Officers and men, concern'd yesterday in the attack on the Enemys left Wing, for the Spirit and Bravery they manifested in Driving the enemy from Field to Field, & Although an unfortunate fogg Join'd with the Smoke, prevented the Differrent Brigades firing & Supporting each other, or Sometimes Distinguishing themselves from the Enemy, & from other Causes which as yet cannot be accounted for well, they finally Retreated, they Nevertheless See that the Enemy are not proof against A Vigorous Attack, & may be put to flight when boldly push'd this they will Remember & assure themselves that on the next Occation by A proper exertion of the power which God has given them, & inspired by the Cause of Freedom in which we are engaged they will be Victorious.

The Commander in Chief not Seeing the engagement with the Enemys Right Wing, Desires the Genl Officers who Commanded them to thank those Officers & men, who behav'd with becoming Bravery, and Such in either wing who behav'd otherwise are to be Reported. Details for Picquetts as last Settled they are to parade at 11 OClock in the forenoon, and afterwards at 8 OClock as Usual.

Octbr 6th 1777

Division Orders

With the Highest of gratitude and esteem the General Returns his Cordial thanks to the Officers & Soldiers of his Division who were engag'd against the British troops on the 4th Inst their gallant Beheaviour has endear'd to him every Officer & Soldier who acted A part in that engagement, & has given him the Highest Confidence in them, he Sincerely Laments that the other part of the Army did not Seasonably Advance to Support them which prevented the Victory from being Compleat, & was the means of many A brave mans falling during the Action, rendred it of So much longer Duration, by this Defeat the Genl Congratulates the Officers and Soldiers on the Experience they have gained, that British Troops must give way to the American Valour, & that the Officers & others of the Army must allow, that the Officers & Soldiers of the first Division have a Claim to for the greatest Share of the honour of Demonstrating this to the world.

The Genl Desires that the Greatest attention be paid to the wounded Officers & Soldiers, and that were anything is wanting for the Comfort of either he will exert himself to procure it for them, he Desires the Surjeons to inform him from time to time what necessaries they may Require, that they may be Seasonably provided, Should any of the Officers unfortunately die of their wounds, he desires to have instant notice of it that those Military honours may be paid to them which their bravery Justly merits; The Commanding Officers of Regts are desired to point out Such Officers & non Commissioned Officers, and Soldiers as perticularly Distinguished themselves in the late Action that proper notice may be taken of them, they are also to Report such as behav'd Ill if any Such there were.

A Return of the kill'd wounded & missing of the Delaware Regt in the Action of Germaintown Octbr 4th 1777.

Killed					Wounded						Missing					
Col.	Capts.	Lts.	Serjts.	R & File	Col.	Capts.	Lts.	Serjts.	R & File	Total	Col.	Capts.	Lts.	Serjts.	R & File	Total
.	.	.	.	3	1	1	3	2	19	26	.	.	.	2	7	9

N. B. Col. Hall Wounded, Capt. Holland do. Since dead,

Lt. McKennan
Lt. Wilds } Wounded
Lt. Purvis

Head Qrs Pertioming Octbr 7th 1777

Genl Orders

Major Genl for tomorrow.....Green
Brigadier .....Smallwood
Field Officers Col. Williams, Lt. Col. Buttler, Major Vaughen.
Brigade Major Platt, Field Officer for Picquett Majr Nicholas.

The State Regt from Virginia is to Supply the place of the 9th Regt in Mulenburg's Brigade; & do Duty there untill further orders, Jno. Fanden of Col. Hartleys found Guilty of the Charge of Desertion and Sentenc'd by death is to be executed tomorrow at 12 OClock The Situation of the Army frequently not admitting of the Regular performance of Divine Service on

Sundays, the Chaplains of the Army are forthwith to meet together & agree on Some Method of performing it at other times, which method they will make known to the Commander in Chief.

Divers Swords and other things have been Stolen from Officers by Some Soldiers; Officers are Requested to take notice of Such things if they See any in the possession of their men & have them taken care of and Advertis'd. The Paymaster Genl is at Genl Conways Qrs at Metivyleers Mils, where he will attend the Buisness of his Department.

Wednesday 8th Octbr Struck tents and march'd on the North Wales Road and encamp'd on a hill in Pownaoming Township Philada County being 8 Miles.

HEAD QRS Octbr 8th 1777

Genl Orders

Major Genl for tomorrow.....Sterling
Brigadier .....McDougall
Field Officers Col. Dicky, Lt. Col. Lindsey, Brigade Major Nichols, Field Officer for Picquett Polk.

The Brigade Majors are to morrow to make Returns of the Arms & Accoutriments wanting to their Several Regts of their Brigades in order to have them Compleated without Delay, they are also to make Returns of the number of Tin Cannisters they have in their Brigades.

The Battallion of Militia from Virginia Commanded by Major Pickett is to be attach'd and do Duty with Genl Woodfords Brigade, the mens pouches are to be well greased at least once A Week perticularly that part which covers the Cat-

ridges, the better to preserve them from Rain, the Commanding Officers of Corps to attend to this matter, they are also to Select the most Suitable of their men & Set them to making morkesons immedietly for their Corps, the Commissaries are to order the Skins of the Heads & legs of Bullocks to be saved for that use, So far as they will go, the Commissaries are to issue Rawhides for this purpose on orders from Commanders of Corps.

John Findans of Col. Hartleys Regt Sentenc'd to Suffer death for the Crime of Desertion to the Enemy, & was to have been executed this day at 12 OClock, but is to be executed tomorrow at the above mentioned time; A Detachment of 60 men from each Brigade is to parade to See the execution.

Octbr 9th 1777

Division Orders

The Genl Cannot help expressing his Satisfaction on observing the regular & Soldierly desposition in which his division march'd Yesterday, he was pleas'd to hear the Genl Officers mention it Repeatedly in the Course of the day, this must reflect great honour to the Commanding Officers of Corps & Divisions, and upon the Soldiers and as his Division have Distinguished themselves by clear bravery he wishes in Discipline & order to outshine the other Divisions of the Army, everything that may Contribute on his part to bring about the desireable end,

Shall be attended to:— The Genl orders that no Ruff of A Drum or any Compliment or Salute be paid on a march to any Officer whatsoever & that the Compliments of Resting firelocks by the Pickett guard or Sentry from Picquetts be never paid to any Officer, the Sentries are to Stand Shoulder'd

when Genl Officers or Field Officers of the Day pass by, & face the way they expect the enemy without turning the head or Looking towards the Visiting Officer, the Guard are to turn out & Stand well Shoulder'd facing toward the enemy the Soldiers not to turn their heads or to take any notice of the Visiting Officer, this to be Observed as A Rule except; when the Grand Rounds visit by night who are to be received as Usual The Division Commissary immedietly to Supply himself with rum & deal one gill Pr day to each man till further orders. Richard Emeroy Esqr. is appointed to act as Brigade Major to Col. Richardson, Col. Commandant till further Orders.

Octbr 9th 1777

Genl Orders

Major Genl for tomorrow.....Stephen.
Brigadier .....Wayne.
Field Officers Col. Swift, Major Mentzies, Brigade Major Williams,
Field Officer for Picquett Major Force.

The Genl Court Martial whereof Col. Broadhead is President is to Sit tomorrow at 8 OClock the members to attend precisely at that time, at A horsemans tent by the park of Artillery. By Genl orders of Sepr 13th the destribution of tents was directed 1 Soldiers tent for the Field Officers of Regts 1 Do for every 4 Commissiond 1 Do for 8 non Commissioned officers, 1 Do for 8 Privates.

The Commanding Officers of Regts are instantly to examine into the number of tents, and Cause all above the allowance, to be Collected & given in to the Brigade QRMaster, in the first place to Supply those Corps in their Brigades which are

Short of that Allowance, & the Residue to be Deliver'd to the QRM. Genl to Supply the Militia & Such Corps as are Destitute, the Commander in Chief expects the Genl Officers & those Commanding Brigades will See this order carried in execution Immedietly; Brigadier Genl Nash will be interr'd this forenoon at 10 OClock with military honours, at the place where the Roads forks, where the Troops march'd in yesterday, all Officers whose Circumstances admit of it will attend and pay their last Respects to A Brave man who died in Defence of his Country The execution of John Faindon is to be postponed till tomorrow noon;— The Genl Officers are without Dailey to have the Rolls of Officers Call'd & Such as are absent, and not Sick or wounded or on Command are to be ordred preemtorily to Join their Corps & those that are absent without leave are to be immedietly reported to the Commander in Chief, they are also to Report the number of Blankets, & Shoes, & other Necessaries to Compleat one Suit for each man. True Field Returns are to be made of the Troops under the immediet inspection of the Genl Officers, for this Purpose the Several Corps are to be muster'd & the Rolls Call'd if the weather permits, that the Returns may be made tomorrow at noon, Sign'd by the Major Genls or Officers Commanding Divisions, the Brigadiers or Officers Commanding Brigades are Immedietly to report the number of those Retain'd, missing after the Action of the 4 Inst who have Join'd their Brigades Since the Returns of the Kill'd &c. & those Returns will continue to be made dailey to the Commander in Chief.

If Col. Crawford is in Camp he is desir'd to Call'd at Head Quarters as soon as possible.

HEAD QRS Towaininsing Octbr 10th 1777

Genl Orders

Major Genl for tomorrow.....Sullivan.
Brigadier .....Scott.
Field Officers Col. Marshall, Major Hay Brigade Majr Cox.
Field Officer for Picquett Majr Francis Murry.

The Chaplains of the Army are to meet together at the rear of the park of Artillery at 12 OClock to morrow for the purpose mentioned in the order of the 7th inst, the Paymaster Genl will attend the Buisness of his Department at Genl Weedens Qrs in Genl Greens Division at Mr. Tunnells House.

A Court of Inquiry to Consist of 4 members Majr Genl Lord Sterling President to Sit to day at 12 OClock at the Presidents Qrs and examine into the Conduct of Major Genl Sullivan, in the expedition Commanded by him to Staten Island in the month of August last, Major Taylor & others who can give Information of the matter are to attend, but if the Court See Cause to postpone the examination for want of evidence, after Major Taylor has urg'd what he has to Say on that matter they are to do it accordingly;—

Genl MDougal, Genl Knox, Col. Spencer, Col. Clark Members.

The Genl being informed that much provision is wasted, by the Irregular manner in which it is Drawn, & Cook'd does in earnest terms exhort the officers Commanding Corps to look into & prevent Abuse of this kind; and in verry express terms also desires that their men have provisions by them ready on any emergency & moreover that they will be perticularly attentive to the execution of orders both the times & meaning,

ardently wishing that the necessaty & Rigid compliance with them may be deeply impressed on the minds of the officers who ought to Consider how impracticable it is to carry many military opperations without it, it is not for every officer to know the principal on which every order is issued, and to Judge how far they may or may not be dispenced with or Suspended, but their duty to carry them into execution with the utmost punctuality & exactness, they are to Consider that military movements are like the working of a Clock, & will go equally Regular & easy if every officer does his duty, but without it, will be as easily disordred, because neglect in any one part (like the Stopping of A Wheel) disorders the whole frame, the Genl expects therefore that every officer will duely Consider the importance of this observation, their own Reputation & the duty they owe their Country; Claims it of them, he earnestly Calls upon them to Act; The Genl Directs that the arms may be put in the best order without loss of time, Amunition Compleat and everything in Readiness against a Sudden Call, if Such Should be made, those wanting arms to be Supplied immedietly be order from the Adjt Genl, an Account is to be Rendred at the foot of the Return how the Difficiencies arrises & promotions in Consequence of the Late Deaths will now take place.

As A reward to the merit of Deserving Officers, the Provision in which they are to be made agreeable to Genl officers of the Regts they belong to; Officers who are under any imputation are to be noted for it, as the Genl is determined to Discriminate, Return the good & bad, this order is Confin'd to Promotion, no new appointments will take place at this time in the weak State of the Regts.

After Orders

Returns are to be brought in to morrow noon of the number of Rounds of Catridges pr man with which each man is furnished in the Different Brigades.

Octbr 11th 1777

Genl Orders

Major Genl for tomorrow.....Green.
Brigadier .....Mulenburg.

Field officers Col. Chambers, Lt. Col. Nelson, Do for picquett Majr Sommers. The Court of inquiry of which Lord Sterling is President now Sitting at the Presidents Qrs is to inquire into the Charge against Brigadier Genl Wayne, that he had himself notice of the enemies intention to attack the troops under his Command on the night of the 20th Septr & notwithstanding that Intilligence he neglected making disposition till it was too Late either to anoy the enemy or make a Retreat without the utmost Confusion, the president will give notice of the time when the Court can enter on that buisness, when the parties & Evidences are to attend.

A Flag of truce will go to the enemies lines on Monday next at 9 OClock in the morning, all persons who have Letters & other things to Send in must have them in by that time. Twice A Week the Officers of each Company are Carefully to examine the Arms, Amunition & Accoutrements of the men, to See that they are in perfect order, that nothing is wanting in the first inspection, they are to take an exact acctt of every article belonging to each man, if any is missing they are to Report the Same to the Officer Commanding the Regt that the matter may be inquired into if he Judges it proper by A

Regimental Court martial, & the Delinquent punished if Deserving it, & Charg'd with the Articles lost & deducted from his wages.

The Militia from Prince William, Culpepper, Louden, & Bartley in the State of Virginia are to be form'd into a Brigade, and be under the Command of Col. Crawford.

The QRMGenl & Commissary Genl are to appoint persons themselves to do their duty of their Respective Departments, all the Troops last come from Peckskills under the Command of Genls MDougall, Vernon, & Huntington; Malcolms Regt excepted are to be thrown into two Brigades as their Genl Shall think best a Report of which is to be made to the Commander in Cheif for his further orders, Col. Malcolms Regt is to Join Genl Conways Brigade; Twelve Light Horse with an Officer are to mount Guard every day with the Picquett, to be despos'd off at the Differrent Picquetts for the purpose of conveying any intilligence in Such manner as the Majr Genl of the day Shall direct. The Commanding Officers of all those Companies which were Rais'd as A part of the 16 additional Battalions and at differrent times annexed to other Regts to make immediate Returns to the adjutant Genl of their Strength and in what Regt they are now doing duty.—The Commander in Chief has the Pleasure to inform the Army that the Congress have in A Unanimous Resolve express'd their Satisfaction to the officers and Soldiers in the attack on the enemy near Germaintown on the 4th Inst for their brave exertions on that occation; & hopes that the approbation of that Honourable Body will Stimulate them to Still greater Efforts on every future Occation.—Capt. Paul Parker of Col. Hartleys Regt is appointed to do duty of Brigade Major in Genl Waynes Brigade untill further orders, & is to be obey'd & respected as Such;—All guns is absolutely forbid firing with-

out the leave of the Majr Genl of the day, the instant a gun is fired a Serjt and A file of men, Shall be sent to catch the Villain who is thus waisting amunition, & alarming the Camp, all officers are Strictly to See this order put in execution.

HEAD QRS Towarinsing Octbr 12th 1777

Genl Orders

Majr Genl for tomorrow.....Stephens.
Brigadier .....Smallwood.

Field Officers Col. Patten, Lt. Col. Mead, Majr Lockart of 3d Carolina Regt is promoted to the Rank of Lt. Col. in the 8th Regt of that State, in the Room of Col. Ingram who has Resigned, Capt. Dixon of N. Carolina Regt is promoted to the Rank of Major in the Room of Majr Lockart.

The Commander in Chief approves of the following Sentences of A Genl Court martial, held the 3rd Inst whereof Col. Josiah Parker was president, Ens. Cannon of the 4th Virginia Regt Charg'd with accusing Ens. Ford with Cowardice also of getting on the morning & behaving in an ungentleman like manner, found guilty of the Charge & Sentenc'd to be discharg'd the Service; Ens. Thomas Shanks of the 10 Pensylva Regt Charg'd with Stealing two pair of Shoes from Lt. Adams, Regimental QRMaster to the Said Regt found guilty of the Charge exhibited against him & Sentenc'd to be discharg'd from the Service.

Major Forrest of Coll. Proctors Regt of Artillery Charg'd with neglect of duty, with Disobedience of Orders to the Prejudice of good order & Millitary Discipline, & with Breaking his arrest found guilty of neglect of Duty & Disobedience of orders but not guilty of Breaking his Arrest it appears by

the Evidence, That Major Forrests conduct was highly Reprimandible because of Such nature as tends to Subvert the Foundation of Order in an Army When an Officer is ordre'd to do any thing in A line of his duty, he ought not to Reason on the Propriety of the measure but execute it in the best manner he can remembring that any Implicit Obediance constitutes true Discipline is Essential and Even to the exixtance of an Army it is the ardent wish of the Commander in Chief that the duty of the Camp may be perform'd with the greatest Exactness General and Field Officers of the day to attend the Parade Constantly at Guard mounting and see the Guard on Duty Marçh'd off and every thing carried on with propriety & Conduct.

Thence forward the Guards are To mount at 9 OClock now the Officers have an Oppertunity of Attending to the Descipline of their Men, every day when the weather permitts the Corps are To be turned out and practis'd in the most Essential manner and Exercise particularly in priming, loading, forming, Advancing, retreating, Breaking, Rallying, and no pains are To be spared in Improving the Troops in these Points.

All parties and Witnesses relative to the Charge against General Wayne are To attend the Court of Inquiry at Lord Sterling's Qrs to morrow morning at 9 OClock.

The QrMr Genl is directed to procure paper immediately that the Several Corps may be Furnish'd.

October 13th 1777

Division Orders

The General is extremely sorry to Inform the Officers of his Division that he was yesterday Inform'd in the hearing of the Commander in Chief, That the Officers of the Division were

universilly dissatisfied with being under his Command and had no Confidence in him as an Officer, and that they had declared it publickly in many places and at all Oppertunities, This report so to them if False and To him if True, he wishes to have cleared up, he therefore desires every Commissioned to give him Candidly Their Sentiments Upon the matter, he promises them that if any Considerable part of the Officers are Uneasy under his Command he shall take it kind in them to let him know it and he will immediately remove that Difficulty be quitting the Division the Instant he finds them wish For it but if On the Contrary the report has no foundation or Truth, he expects and desires them to take the proper Steps to bear the publick Testimony Against it.

After Division.

October 13th

The Commandants of Brigades are immediately To Order those men that are in Want of Cathridges Boxes to be Supplied by those men who have Ball Cathridges boxes and Tin Canisters so that each Soldier may be Supplied with one and the Other.

Immediate Application is to be made To supply those men with Arms who are in want no Excuse will be admitted as plenty of Good Arms are Arived in Camp and are ready to be deliver'd on an Application.

General Sullivan requires that the Commandants will take the Size of the bores of their Guns and return a list thereof Immediatly.

HEAD QUARTERS October 13th 1777

General Orders

Major General For tomorrow Sullivan.
Brigadier Vernan, Field Officer Colonal Broadhead.
Lwt. Colonal Green, for Picket, Major Sterrett.
Brigade Major day.

The sending in Flaggs To the Enemies lines are Defer'd till to morrow at 9 OClock Those Battalions of Militia and Corps that Han't joined the Army sooner than the 3d Instant are To attend to the Orders of that day with regard to makeing Muster-rolls.

AFTER ORDERS.

Athough Orders have been given to Compleat the Army with 40 rounds of Cathridges pr man the General did not intend it shou'd be distributed to the men except so fare as to Fill the Cathridge boxes until further Orders and Tin Canisters all above that number is to be immediatly collected and deposited in a good Covered Waggon of the Brigade or Division no delay of this matter is least the Cathridge be Spoiled and lost.

The Companies raised by Captains shall living Theanly & Calderwood are to join Col. Malcome's Regmt & Compose part of it.

It is with Grief and Amazement that the General Observes by the late returns of Arms and Accoutriments the Continental Troops are not yet Supplied he immediately directs that they may be Supplied with Musketts and if those are any not Sufficiently supplied with Cathridge boxes that the Tin Canisters be taken from them who have Cathridge boxes and distributed to those who are destitute of both.

After this the General positivly orders that the Arms Ammunition and accoutriments be examin'd once a day by an

Officer of each Company that this may be done he expects the Commanding Officers will be particular to the duty here Enjoin'd he also Commands to the Genel Officers as a Matter well worthy of their Care.

Any Soldier after this who shall loose, sell or dispose of their Arms, or accoutriment or Cloathing shall be punish'd in a most Examplary manner without the smallest mittigation.

Colonal Crawford as there are not Spare Cathridges Boxes at this time to supply the Militia it is desired he will use his Utmost Skill and Industry to procure horns and pouches to carry their Ammunition in or To adapt any other method consulting his Officers his Officers find most expedient he is to appoint some person acquainted with the duty of Brigade Major who will be allowed pay during the time he Acts.

As many great and Valuable advantages would result from having the Arms of a Brigade or even a Division of the Same Size the Commander in Chief directs that each Officer Commanding a Brigade would have a return Instantly made to him of the Different Callibres and number of each in his Brigade And that as soon as this is done Major General Sullivan would call in his General Officers commanding Brigades and see if such a Disposition of Arms can be Effected as many happy Consequences would Flow from it.

Head Qrts October 14th 1777

General Orders

Major General For to Morrow.....Green.
Brigadier, Kentington Field Officer, Colonal Evans.

Lieut. Colonal Lynly Brigade Major, Platt the Officer on Guard to make a Report to the Officer of the day who will

report the whole To the Adjutant General Doctor Craig Director of the Hospital at Reading has sent a list of the wounded there whose blankets and other necessaries Remain in Camp the Commanding Officers of Regmts are directed to make the most diligent Search for all such Necessaries belonging To the wounded in their Respective Regmts, collect them there togather and Lodge them with all possible Dispatch at the Quarter Master General's Quarters, The wounded are now Suffering for Want of them, and not a moment is to be lost in relieving those brave men who have Suffered in their Countries Cause the Brigade Major is To send lists of their names to the Officers commanding Regmts without Delay.

Hitchcock Esqr. is appointed to do duty as Brigade Major in the Second Merryland Brigade late Deborres and is to be respected as such John Lawson Esqr. Adjutant to the Prince William Militia is appointed to do the duty of Brigade Major of Militia under the Command of Colonal Crawford and to be respected as Such.

HEAD QUARTER Octr 15th 1777

General Orders

Majr Genl for tomorrow Stevens.
Brigadier Wirden, Field Officer Col. Lewis.
Lieut. Col. Meade, Brigade Major, Parker Officer.
For Picket Major Richardson.

The General has the expected pleasure of informing the Army of our Troops under the Command of General Gates over Genl Burgoin's Army the 7th Instant, The Action began at 3 OClock in the afternoon between the picket of the Army which were reinforced on both sides, the Contest was warm & Continued till evening when our Troops gained the advanced

Lines of the Enemy and encamptd on their Ground all night they Fled and left 330 Tents with Kettles boiling with Corn, 8 Brass Cannon 2 twelve & 6 pounders, upwards of two hundred Dead of their Flying Army Genl Frazier is among their Slain Our Troops took 550 of their non Commissioned Officers and Soldiers Sir Francis Case Clarke A D C to General Burgoine a Qrtt. Genl supposed to be Carlton the Commanding Officers of Artillary of a Forreign Brigade and of the British Granadeers and a number of other Officers of Inferior Rank Two of our Genl Arnold & Lincoln are wounded in the Legs besides our Troops suffered but little they behaved with great bravery and interpidity and have then a Second time triumphed Over Veteran Troops when the last Accompts came away Genl Burgoin's Army was retreating & some perishing the General Congratulates the Troops on this Signal Victory the third Capital advantage under divine Providence we have gain'd in that Quarter and hopes it will prove a powerful Stimulus under his immediate Command at least to Equal their Nothren Brethren in brave and Intrepid Transactions when called thereto the General wishes them to consider that this is the Grand American Army and in Consequence great things are expected of it is the Army of whose superior power some have boasted what Shame then and Dishonour will attend us if wee Suffer ourselves in every instance to be out done, we have Force Sufficient by the Favour of heaven to Crush our Enmies, but nothing is wanting but a Spirited persevering of it To which as before mentioned duly and the love our Country Irrasestably impells us, the Effect of much powerfull Motives no man who posses the Spirit & Soldier can withstand an Oppertunity by those Motives the General assures himself the next Occasion his Troops will be Compleatly Successful.

For honour to the Nothern Army and To Celebrate the Victory thirteen pieces of Canon are to be Discharg'd at the park of Artilary at 5 OClock this afternoon Previous to this the Brigades of Corps are to be Drawn up on their respective Parades the Orders to be Distinctly read by their Officers.

Those men of Colonal Crawford whose pieces cant be Drawn are to be Discharged at 5 OClock this afternoon.

The troops are To march from the right to morrow morning at 10 OClock the Major General of the day will point out the Order of the March.

The brig Adventurers are to be made out of all the Seamen are to be made out of all the Respective Corps of the Army the Brigadier and Officer commanding Brigadiers & Officers commanding Brigades are without delay to make a Strict Enquiry for the Tin Cannisters which have been Delivered them & report those numbers now with them and inform what became of the Rest.

In Consequence of a Representation of the Field Officers of Colonal Stewart's Regmt Captain Patrick Anderson's Company & Liewts Saiobi Militia of that Regmt are thereby Sentenced from their non Attendance and for their unworthy Conduct as Officers their pay is to be Stop'd a Court of Enquiry Consisting of 3 Members one which General Green is to be president To sit at the Presidents Quarters at 3 OClock this afternoon and enquire into the Conduct & Charges against Brigadier Genl Maxwell all Witnesses are to attend at the Same time B: Gen Mulenburgh & Vernon, Colonals Stewart & Richardson are appointed members of this Court.

A General Court Martial of Horse Officers is To Sitt at Col. Moylands Quarters To Morrow morning at 9 OClock for the Tryall of all prisoners of Horse that shall be Brought Before them Col. Moyland President.

15th Octobr 1777

Division Orders

The Court of Enquiry whereof Col. Woodford was President have Determin'd that Thomas Baily a Servant Inlisted in Capt. Pattens Company of the Daleware Regt is the property of Mr. Godden in Maryland, the General Approves of the Determination and Orders that Said Servant be deliver'd to Col. Guest.

The General would be Oblig'd to the Officers Commandants to make Reports of the Vacancies in their Several Regts and what promotion they would wish to take place.

Thursday 16th October Struck tents and marched to the Skippack Road and Encamped on the Same Ground we were at on the 3d Instant being 8 miles and About 20 from Philladelphia in Philladelphia County Wooster Township.

Head Quarters October 18th 1777

General Orders

Major General for tomorrow Lord Sterling Brigadier Scott.

Field Officers Col. Russell Lieut. Col. Guyney, for picquit

Major Locket B M Emery Detail the Same as Yesterday Saving that Harpein Wain's, Thompsons, Maxwell's, Conway's, and Nashes; Brigades To find Captains in Addition of the Other Detail and the Other Brigades not to find Captains, the Genl has his happiness Compleated relative To the Success of our Nothren Army On the 14th Inst. G: Burgoine and his whole Army Surrendered prisoners of War let every heart brighten themselves and every heart expand with Greatful Joy

To the Supreme Disposer of all Events who has Granted us this Signal Success.

All the Chaplains of the Army to prepare Suited to the Joyful Occasion short discourses To deliver to their Respective Corps and Brigades at 5 OClock this Afternoon immediately after this Thirteen peices of Canon are to be discharg'd at the Artillary Park to be followed by a Fued of Joy with Blank Cathridges or Powder by every Brigade or Corps of the Army, beginning at the Right of the Front line and Running to the left of it and then Instantly beginning at the left of the Second line and running to the Right of it where it will end the Major of the day will Superintend and Regulate the Feu, de, Joy; the Officers Commanding Brigades and Corps are to draw out their men, Excepting those on duty, every day when the weather Permits, to practice the most Necessary Manoevres particularly to Advance in a line, from thence to form Collumns To go through Passes & Oppening Fences, and Reduceing them again To Retire in a Line and Collumn and Form again in a Word Form all Those movements which in Action in a Wooden and Close Country shall make Necessary.

ADVERTISEMENT

A horse Saddle & Bridle came to Genel Knox's quarters; The Owner by applying may have them again.

On Monday 20th October Struck Tents about 4 OClock this morning and marched on the Shippack Road about 5 Miles and within 15 of Philladelphia then halted in an Old Field on the left of said Road then Countermarched to the Wood do.

Then Incampted in Wheppain Township Philadelp: County.

CAMP NEAR SHIPPACK Octr 20th 1777

Proceedings of a Regimental Court Marshall held this day by Order of Colonal David Hall for the Tryal of such persons as Shall be brought before them belonging to said Regmt.

John Larmouth Capt. President

Lwt. Corsse, Ens. Jas. Campbell } members { Lit. Harvey Duff, En: Cal Bennet

Thomas Clark Drummer of Kaptain Kirkwood's Company Confined by Lieut. Brattan for disobedience of Orders.

Prisoner saith he was Sick and went for a Drink of Watter and left his drum with the Rest & went to sleep in the Woods as he thought they would stay all night Lut. Brattan being duely Sworn saith that he did not see the Prisoner after they halted on the Ground they Remain'd on the Court thinks him Guilty of the Charge, & Sentence him to Receive 39 Lashes. Approved by Charles Pope Esqr. Liet. Colonal *D R.*

HEAD QRTS Octr 22 1777

General Orders

Brigadier Smallwood, Field Officers Cols Chambers Lieut. Col. Hashton for Picquet Lieut. Ford, B. M. Peers Such of the Troops as have not drawn Provision for to day and to morrow to do it Immediately and Cook the Whole, and all be Ready to march on the Shortest Notice.

HEAD QUARTERS 22d October 1777

General Orders

Major General for to morrow Sullivan. Brigadier Vernon, Field Officers Col. Prentice Lieut. Col. Willis for Picquet

Lieut. Col. Pope, Brigade Major Olden; many abuses have been made in Impressing horses for the Army, the Commander in Chief possitively orders that no horse henceforth will be Impressed by any member of the Army, without an Order from the Quarter Master Ge. or Some of his Deputies, or Assistants, or Special Order from the Commander in Chief; the Brigade Qr. Mrs are to make Returns tomorrow Afternoon at 5 OClock of all the riding and bad Horses, of their Brigades and their persons and Ranks, in whose Service they are used.

A General Court Martial whereof General Sullivan is President is to Sit tomorrow morning at the Presidents Quarters for the Tryal of Brigadier General Wayne, upon this charge against him (that he had Timely notice of the Enemies Intention to Attack the Troops under his Command on the Night of the 20th September & Notwithstanding that Intelligence neglected making dispositions untill it was too late either to Annoy the Enemy, or make a Retreat without the utmost Danger and Confusion.

Brigadier Genls Mulenburgh, Werden, Conway, Huntington, Colls. Stevens, Denton, Mr. Clahan Stewart, Beadly, Leut. Col. David Deharte Faihlon are appointed Members of this Court.

A Return of the number of Swords is to be made, and wanting in the horse Brigade as Deficiensies may now be Supplied.

Although the Enterprize under Genl Mc Dougal proved fruitless by Reason that the Enemy had abandon'd their Post; Intended to have been attacted yet the Commander in Chief Seems his Thanks due To the Officers and men Detaled for that Service, who two might Succesfully have Crossed and Recrossed the Schuylkill and To Those men under Genl Sulli-

van, & Green, who were designed to facilitate Genl Mc Dougall's Opperation; For the Fortitude and Resolution with which they went through the night's Marching which was performed in the Expedition.

A Flagg will go into the Enemy to morrow morning at 10 OClock Such persons as have any thing to send to their Friends are to get them Ready and have them at Head-quarters at that time.

HEAD QUARTERS Octr 25th 1777

General Orders

Major General For to morrow, Stevens,
Brigadier Woodford Field Officers Col. Lawson, Major Hail For Picket Major Schull Brigade Major Williams.

The Intention of a Certificate upon the pay Abstracts under the hands of the Brigades was that truth of them shou'd be made apparent upon Comparisons, the Signing their names is but an empty Form. The Commander in Chief therefore Requests that henceforth the Brigadiers or Officers commanding they are Carefully to examine and compare the pay Abstracts with the weekly Returns before they make a Certificate concerning them. The Commander in Chief Orders that a Weekly Return be made of each Brigade to morrow morning at 10 OClock without Fail & and those men Return'd on command & number of each to be pointed out the General will look to the Brigadiers and Officers commanding Brigades for the mutual Compliance of this Order.

The Commander in Chief approves of the Sentance of a General Court Martial held the 14 Inst whereof Col. Broadhead was president Orders them put in execution immediately

Lewt. Nathan Funs chargd with being drunk and uncapable of doeing his duty when the Army engaged the Enemy engaged the Army on the 4th Inst found Guilty and Sentenced to be cashihired, Leut. Joseph Fish of Capt. Lac's Company in Colonal Dukenson's Regmt charged with leaving his Regmt and Platoon which he belong'd to while on the March towards the Enemy on the night of the 3d Inst and also being much disguised in Liquor was acquited of the first charge and found guilty of being in Liquor and Sentenced to be Reprimanded by the Brigadier Genl in prescence of the Officers of the Brigade.

Proceedings of a Regimental court Martial held in camp near Germaintown October 25th 1777 by Order of Col. David Hall.

Captain John Learthmouth President

Lieut: John Wilson, Ensign M. Lean } Members { Lieut. John Rhodes, Ensign Hariman

Prisoners Crime

William Dowers of Captain Moors Compy being charg'd with Stealing a five Dollar bill from Serjeant M. Cain pleads not Guilty but says he found a five Dollar bill by the fire.

Evidence—Marmaduke Mc Cain Being duely Sworn deposeth that he was under Guard with the Prisoner, he was Singing and prisoner Sitting Close by him, and asked him to Sing the Song again, after he was Done Singing he mist his pocket Book which had a five dollar Bill in it, and Accus'd the prisoner with Stealing it, but he Denied it, the Prisoner after that Changed a five dollar bill and Said he found it by ye fire.

EVIDENCE—Henry Gardner being duely Sworn Deposeth, that he was On Guard with the prisoner and was ordered up to the Mill and was put on sentry there, the Prisoner Asked him if he would go to the Sutlers, he Said he would, there the Prisoner Changed a 5 Dollar Bill.

EVIDENCE—Jno. Bowden being duely Sworn, Saith that he was prisoner at the time the Prisoner was Search'd, & he had no money about him, & the next day he Chang'd a 5 Doll: bill with the Sutler.—The Court having duely Considre'd the evidence for & Against the Prisoner are of Opinion that he is guilty of the Charge he is accused with, & do Sentence him to Receive 500 Lashes well laid on & pay Serjt M Cain 5 Dollars;

The Above Sentence Approv'd & ordred to be put in execution on Parade Remitting 300 Lashes.

D. HALL
Coll. DR

GENERAL ORDERS HEAD QUARTERS 26th October 1777

Majr Genl for tomorrow Green.
Brigade Maxwell, Field Officers, Col. Brown, Majr Snead.

The Court of inquiry whereof Genl Green was President Relative to the Complaint's against Genl Maxwell

Report their opinion as follows Vizt.

The Court having fully inquired into the complaints exhibited by Lt. Col. Heath against Brigadier Genl Maxwell while Commanding the Light Corps, are Clearly of opinion that they are without foundation Saving that it appears that he once during that time disguis'd with liquor in Such A manner as to disqualify him in Some Measure but not fully from doing

his duty & that once or twice besides his Spirits were a little elevated with Spiritous Liquor, the Court Submits to his Excellencys better Judgment whether Genl Maxwell from these instances of deviation ought to be Subjected to A tryal by A Court Martial;—

The Commander in Chief directs that the Genl Court martial of which Genl Sullivan is President; as soon as the tryal before them is finished, proceed to the tryal of Brigadier Genl Maxwell upon the Complaints Refer'd to in the foregoing Report;—

The Commander in Chief approves the following Sentences of A Genl Court Martial of which Col. Broadhead was president held the 17th 18th & 19th Inst and orders that they be put in execution forth with; Lt. Col. Markham of the 8th Virginia Regt Charg'd with having left the Regt in time of Action on the 4th Inst & also on the Retreat ye Same day, & also Charged with delay when ordred to Support the Advanc'd Guard, was by the unanimous opinion of the Court found guilty of the Charges exhibited against him & Sentenc'd to be Cashiered;

Capt. M Cormick of the 13th Virginia Regt charg'd with laying down in time of Action & behaving in A Cowardly & Unofficerlike manner, was Acquited with honour.

Lt. Crane of the 15th Virginia Regt Charged with Disobedience of Orders, also with Breaking his Arrest; Acquitted by the unanimous opinion of the Court Lt. Thos. Moore of Capt. Harrissons Compy in ye 15th Virginia Regt Charg'd with incouraging the men to breed A mutiny & otherwise behaving unbecoming the Character of A Gentleman & Officer, was Acquitted;—

Thos. Roche A Mattross in Capt. Serjeants Compy of Artillery in Col. Cranes Regt Charg'd with Desertion & attempting

to escape to the Enemy, the Court are Unanimously of opinion the Prisoner is guilty of the Charges against him & do Unanimously Sentence him to suffer Death.

This Sentence to be put in execution to morrow at 12 OClock near the Artillery Park 60 Men with Officers from each Brigade to attend the Execution.

HEAD QRS Octbr 28th 1777

General Orders

Majr Genl for tomorrow Stevens.

Brigadier Wayne, Field Officers Col. Ogdon, Lt. Col. Lytell for Picquett Majr Ross, Brigade Majr Mc Gowen.

The Honble Congress have been pleased to promote Brigadier Genl Robt Howe, & Alxr McDougall to the Rank of Majrs Genls in the Service of the United States;

The Rank of Capts & Sublts In Col. Malcolms Regt are to be established as Settled the 19th Inst by Cols Ogden, & Spencer, & Lt. Col. Brailey. Capt. M Gowen is appointed to do the duty of Brigade Majr in the Brigade late Dehaws & is to be respected as Such.

HEAD QRTRS Octbr 29th 1777

Genl Orders

Majr Genl for tomorrow Sullivan.

Brigadier Smallwood, Field Officers Lt. Col. = Majr West for Picquett Majr Smith.

The Seamen mentioned in Genl Mulenburghs, Weedens, Scotts, 2nd Maryland, & MDougalls Brigades are to have three Days provisions Cook'd, & hold themselves ready to march at the Shortest Notice.

HEAD QRTRS Octr 30th 1777

Genl Orders

Majr Genl for tomorrow Green.
Brigadier Huntington, field Officers Lt. Col. Symes, Lt. Col. Green.
For Picquett Majr Haimer: Brigade Majr of ye Day

Detail as Yesterday Save that the Six Brigades that furnish'd Capts then to furnish none, the Brigadiers & Officers Commanding Brigades are without Loss of time to cause the Arms & Accoutrements of their men to be put in the best order & that due care be taken that the Catridges that were damp may be dried & made fit for use. The Seamen in the Six Brigades mentioned in Yesterdays orders are to parade this forenoon at 10 OClock in front of Genl Vernons Brigade with everything Belonging to them & Provisions Ready to march.

The Execution of Thos Roche is Respited till tomorrow; Such Arms as are Loaded & cannot be drawn are to be discharged this Afternoon at 4 OClock under the directions of the Officers no pains to be Spaired to draw all Such as will admit of it.

Divers Horses & Cattle have been brought off by the Detachment commanded by Genl MDougall which lately crossed the Schuylkill, the persons who had or have them in possession are to Report them immedietly to the QRM. Genl Returns of the Sick to go to the Genl Hospital are to be made to morrow morning to the Surjeon Genl at Col. Biddles Qrs. A Sufficient number of Camp kettles are to be Sent with the Sick, those persons whose cases are very bad are to be sent immedietly to the Quaker meetinghouse at the 20 mile Stone on the North Wales Road, where the Surjeon of the hospital will Receive them, the Arms of the Sick to be left with the Regi-

mental QRMasters; who has to deliver them to the Commissary of Military Stores; A few orderly men are to go with the Sick to the Quaker meeting house proportioned to the number of the Sick;

The Commander in Chief approves the following Sentences of A Genl Court Martial held the 13th Inst whereof Col. Broadhead was President, Col. Alexr Martin of the 2nd N. Carolina Regt arrested for Cowardice was acquitted from his Charge, & is therefore discharg'd from his arrest.

Division Orders Octbr 30th 1777

The Commandants of Brigades to appoint five or more proper Officers to Settle the Rank of Capts & Subalterns in their Respective Brigades, former Rank is to be attended to in Settling. Merit must be Rewarded by Congress or the Commander in Chief, & cannot be Considred as giving preference in Rank by any others, former pretentions are to be considred and extended only in the Corps; Vizt the former Pretentions of Capts among Capts 1st Liets among themselves, so of 2nd Lts & Ensigns, A Report from the Officers appointed to be made as soon as possible that promotions may immedietly take place.

Hall Brigade Orders Octbr 31st 1777

Col. of the Delaware, Col. Gunby Lt. Col. Ramsey & Adams & Majr Vaughen, are appointed to Settle the Rate of Capts & Subalterns in the Brigade, they are to Sit this morning at 9 OClock at the Presidents Qrtrs & to Report thereon to Genl Sullivan the Committee whereon their buisness will please to have Recourse to the Division orders of Yesterday which they will give due weight to;

Col. Richardson Requires the monthly Returns of the Respective Regts in the Brigade to be made out & delivre'd to him by 12 OClock to day, as he is determin'd to make the Brigade return this evening; the Sick of the Brigades that are to be Sent to the Meeting house Hospital, are to parade this morning at 10 OClock near the Cols Qrtrs in order to Set off.

Octbr 31st 1777

The Brigade will omit Sending the Detachment of 60 men to the parade today.

TIMOTHY PICKRING
Adjt Genl

HEAD QUARTERS October 31st 1777

Genl Orders

Majr Genl for tomorrow Stevens.

Brigadier Conway, Field Officers, Col. Martin, Majr Bloomsfield Field Officer Picquett Majr Smith, Brigade Major Pearce.

Richd Platt Reynolds Stephens, & M Dougall Esqrs are appointed Aid D. Cs to Majr Genl M Dougall and are to be Respected as Such; The Deputy QRM Genl are to make Returns to the QRM Genls Office of all the Equipages, Stores, Waggons &c. in their Respective Divisions, these returns are to be made to morrow morning at 9 OClock;

The Commander in Chief approves of the following Sentences of A Genl Court Martial of which Col. Bland was president vizt Col. Moyland Charg'd with disobedience of orders of Genl Poliskey, in A Cowardly & ungenteel like manner, in Strikeing Mr. Ziniskey A Gentleman Officer in the

Polish service when Disarm'd, putting him under Guard & giving initiating language to Genl Polisky, the Court were of opinion that Col. Moyland Was not guilty & therefore Acquit him of the Charge exhibited against him; Col. Moyland is Discharg'd from his Arrest.

Lucas Henly A private in Col. Blands Regt Charg'd with plundering Wm. Lawrence, was found guilty & Sentenc'd to Run the guantlett thr'o A Detachment of 50 men of the Brigade of Horse.

Judah Gridley A Private in Capt. Palmers troop of Col. Feldons Regt Charg'd with extorting money from Jno. Thompson, also refusing to give himself up, attempting to escape from Capt. Richd Francis & attempting to draw his Sword, was found guilty & Sentenc'd to run the guantlett thr'o 100 men of the Brigade of Horse—Some doubts having arisen with Regard to the order of Promotion, the Commander in Chief thinks it again expedient to declare that Promotions Shall be Regimental as high as the Rank of Capts Inclusive, all from that Rank in the line of the State but Subject to Such exceptions as merit or unworthiness Shall Render Just & proper agreeable to the Genl Orders Issued at Middle Brook on this Head.

After Orders

A Detachment of 374 men to Parade tomorrow morning at Sunrise on the Grand Parade with Arms & Amunition & one Days Provision Cook'd;—The Details for privates to be the Same as for the daily guards, Hartleys, Humptons, Maxwells, Conways, Huntingdons, & the North Carolina Brigades furnish each A Capt. Sub. Serjt & 2 Corpls Col. Patten Lt. Col. Craig, & Major Morris will take Command of this Party.

Camp October 31st 1777

Proceedings of A Regimental Court Martial of the Delaware Regt held this day by order of Col. David Hall D. R.

Capt. Jno Patten President.

Lt. Corse, Do Duff } Members { Lt. Jos. Wilds, Ens. Bennett

Serjt M Gennie of Capt. Pattens Compy of Sd Regt being brought Before the Court for fighting & Abusing Serjt Faires (pleads not guilty Serjt Faires of Capt. Moores Compy of Sd Regt being brought before the Court for abusing Serjt M Ginnes (Pleads not guilty).

No Evidence appearing against the above Serjts the Court are of opinion they ought to be acquitted. Cornelius Haigney & Thos M Cann of Capt. Andersons Compy brought before the Court for drunkness & fighting (Cornelius Haigney) pleads guilty) Thos M Cann pleads not guilty & Sayeth the fault was altogether Haigneys, that he also tore his Coat in the Scuffle.

Evidence—David Young of Capt. Andersons Compy being duely Sworn sayeth that Haigney being in Licquor went to M Canns tent, & gave him abusive language telling him he was A mean fellow & tore his Coat, that during the Scuffle M Cann Struck Haigney.

The Court having duely Considred the Crimes & evidences & of opinion that Thos M Cann ought to be acquitted & that C. Haigney is guilty of A breach of the 18th Section of War, and do Sentence him to Receive 39 Lashes on his bare back with the Cat O Nine tails, & to make good the Dammage done to M Cann's Coat, the Court from the good Character of Cor Haigney & being the first Crime that has appeared against him (Recommend him to Mercy) Jas Caton being brought before the Court for going drunk on the parade (Pleads not guilty)

but says he was A little Hearty no Evidence appearing the Court do Acquit him the Above Sentence Approv'd & C: Haigney's Sentence emitted.

D. HALL
Col. D R

HEAD QRS White Marsh November 2nd 1777

Genl Orders

Majr Genl for tomorrow Green, Brigadier Ervine.
Field Officers Col. Broadhead, Lt. Col. Ennis, for Picquett Lt. Col. Polk Brigade Majr Mullen, Detail the Same as yesterday only the North Carolina Brigade no men for Picquett.

Each Division to open A Road into the best & nearest Main Road leading to the Country, by which the Waggons & troops may move with the greattest ease & dispatch; The Commander in Chief Relies on the Officers Commanding Divisions to See this Necessary work Perform'd As soon as possible; the Waggons are to be Drawn up Regularly & in the best order, & every night the Horses are to be tied to the Waggons, & gear'd every morning at day break, the Divisions & Brigade QRMasters are to provide Straw for the troops, taking none that is not thrashed, but the men will Collect leaves they can for that Purpose; The Genl Court Martial whereof Genl Sullivan is President, to Sit to morrow morning at 9 OClock at the Presidents Qrs for the tryal of Genl Stevens upon the Charge exhibited against him, the delay that may ariss from the appointment of new members & the Impractability of Changing the Genl Officers without introducing those that have been upon the Court of Inquiry Relative to the Same Charges, Renders it Necessary that this tryal Should be Before the Same Court.

November 2nd Sunday Struck tents & Cross'd Whissahicton Creek on Skippack Road, march'd to the left & encamp'd on the brow of an hill on ye North Wales Road White Marsh Township Philada County in all 2 Miles.

Novmbr 3rd 1777

Division Orders

A Court of inquiry to Sit tomorrow morning at 9 OClock to inquire into Some Complaints against major Adams respecting A Waggon and Horses he had in Custody, Belonging to A person in New Jersey, Lt. Col. Pope of the Delaware to Sit as president of this Court, 2 Capts & 2 Subs from each Brigade to compose this Court, the Same Court to enquire into the Conduct of Lt. Jno Moore of Col. Gunbys Regt in the late Battle of Germainton, also of Lt. Skinner of the Same Regt accused of mis conduct in that Action.

The Commandants of the Division are to attend to having A Road opned in the Rear, agreeable to the Orders of yesterday, the Genl being engaged on A Court martial Cannot attend himself to the Buisness, they will please to Consult each other upon the most proper place to make the Road, and have it Compleated as Soon as Possible.

After Divis. Orders

3d Novmbr 1777

The Officers and men by no means to be absented from Camp, provisions for this day and tomorrow to be Cook'd immedietly & every thing held in Readiness for marching at the Shortest notice, the Officers Commanding Brigades are without loss of time to furnish them Selves with A Guide well

acquainted with the Neighbouring Country; Wm Blanch A Private said to belong to Capt. Deans Compy in the 5th M. Regt now Detain'd in Capt Andersons 2nd M Regt is immedietly to Join the 5th M. Regt any Officer who thinks himself agrieved by another, may on application have A Court of inquiry to Determine to what Corps the Soldier Belongs.

HEAD QRS White Marsh Novmbr 3d 1777

General Orders

Majr Genl for tomorrow M Dougall, Brigadier Scott, Field Officers Col. Marshall, Brigade Majr M Gowen, Detail the Same as yesterday, except the two Maryland Brigades, & Wedens, Mulenburghs, Woodfords, & Scotts, furnish Capts, the Post Office is kept at Edward Hopkins near farmers mill by the great Bridge, the post master has paper to Sell for the price it Cost. The Waggoners are to be in the Rear of their Respective Divisions and kept Ready to move as Directed in yesterday Orders, the Q. R. Masters are to Cause necessaries to be made forthwith for the Conveniencies of each Brigade.

The Cols. of each Regt of Horse to make A Return of the Number & condition of their Horses & furniture, & of the Arms & Accoutrements of his men, the Returns to be made by to morrow forenoon without fail.

ADVERTISEMENT

On Saturday was found A Black pocket book with Some money, & A number of Papers dated at Peek's hills, and A Letter directed to Jos. Fatch Col. Chandlers Regt.

3rd Maryland Regt to Send an orderly Serjt to Head Quarters.

5th Maryland Regt to Send one orderly Serjt to Col. Richardson Qrs.

The Guards to be on the Parade at half after Eight OClock in the Morning.

White Marsh Novmbr 4th 1777

General Orders

Majr Gel for tomorrow Green, Brigadier Maxwell, Field Officers Col. Swift, Majr Read of Col. Hazens Regt Brigade Majr Hitchpatrick.

Detail the Same as Yesterday; Agreeable to former orders all Reports of the Guards & Scouting are to be made by the Officers Commanding them to the Majr Gel of the Day who is to Report them to the Commander in Cheif; Every Regt is to go on making Catridges every day when the weather will admit of it, the Commissary of Military Stores is to make A Return of the Catridges Return'd to him & by the Regt by which they were made. Lost yesterday afternoon about 2 OClock on the Skippack Road, between the Commissarys Genl & the Mill, A parchment Pocket book Containing about 40 Dollars & Some Papers, any person Leaving it at Genl Sullivans Qrs Shall receive 10 Dollars Reward.

White Marsh Novmbr 5th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Woodford, Field Officers Col. Hogun, Majr Taylor, Brigade Majr Minnes, Detail the Same as Yesterday; A Genl Court Martial of which Genl Sullivan was President held the 30th Octbr last & the two following days, for the tryal of Brigadier Genl Max-

well on the following Charge Viz. that he was once during the time he Commanded the Light troops disguised in Liquor, in Such A manner as to be Disquallified, in Some measures, but not fully from doing his Duty, & that once or twice Besides, his Spirits were A little elivated with liquor, upon which the Court pronounced Sentence as follows; The Court having Considered the Charge & evidence, are Unanimously of Opinion that Brigadier Genl Maxwell while he Commanded the light Troops was not at any time in any measure unfit from doing his Duty, they do therefore Acquit him of the Charge laid against him; The Paymasters Genls Qrs are at Nathen Clevins, in the Rear of Genl Stevens Division.

5th M. Regt to Send A Captain and one Subaltern to A Court of inquiry to Sit at Col. Popes tent to morrow morning at 9 OClock.

7th M. Regt to Send an Orderly Serjt to Head Quarters.
1st M. Regt to Send one Do to Col. Richardsons.

Head Qrs White Marsh Novmbr, 6th 1777

Genl Orders

Majr Genl for tomorrow M Dougall, Brigadier Smallwood.

Field Officers Col. Gunby, Lt. Col. Brent, Brigade Majr Alder The Independent Compy commanded by Capt. Joshua Williams to be annexed & to do Duty with the 4th Pensylvania Regt till further Orders; all Prisoners not being Continental Soldiers and Suspected persons are to be Carried to the Major Genl of the day to be examin'd and dealt with as he Shall think fit.

The Cols or officers Commanding Regts are to appoint an Officer from each Regt to go with 4 men to Bethlehem to get Such of their Cloathing as is absolutely Necessary and Bring the Same on Waggons, the Waggon Master Genl will make the Necessary provision and Waggons for that end; Any Gentleman of the Army having any effects of the late Majr White A. D. C. to Genl Sullivan are Desired to bring them to Head Qrs to be deliver'd to his Brother.

Novmbr 6th 1777

Brigade Orders

Returns of Cloathing wanted are to be Rendred to morrow morning by the Commandants of the Maryland Continental Regts that A Distribution may be equally made of Such that is now on hand and an application made for the deficiency; for which purpose an Officer will be detached with proper Instructions to the States of Maryland to morrow, and Also like Returns from the Delaware Regt is expected as an Officer will be detatch'd to that State for the Same purpose Col Guest is Required to Detach A Scouting party Consisting of the Same number under Similar Instructions of that Detachmen yesterday.

Detail for Guards 1 Sub 2 Serjts 2 Corpls & 27 Privates.

Head Qrs White Marsh Novmbr 7th 1777

Genl Orders

Majr Genl for tomorrow Sullivan, Brigadier Wayn, Field Officers Col. David Hall, Lt. Col. Farmer, Brigade Majr Barker.

Detail the Same as Yesterday, the Independant Compy Commanded by Capt. Weaver is to be Annexed to, and do Duty

with the 10th Pensylvania Regt till further orders, Some Disputes having Arrisen Relative to Certain men enlisted by M Nelson doing duty in the 7th Pensylvania Regt, A Court of inquiry is to examine into the Matter & Report their opinions whether these men Should Remain as they are or be transferred to the 9th Pensylvania Regt for which Regt it is Said they are Inlisted for; A Field Officer and A Capt. from Maxwells Brigade & one field Officer from Col. Huntingdons Brigade are to Compose this Court which are to Sit to morrow Morning at 9 OClock at Lt. Col. Brearlys Qrs who is to be one of the members; It is expected by the Commander in Chief that all intilligence from the enemies lines which may Come to the Knowledge of any Officer & bears the mark of Authority will be immedietly Communicated to him or the Majr Genl of the Day who will if the Cause Requires it give immediet information thereof to him.

All Officers Commanding at out posts are to Receive & detain all pass which are given merely for the purpose of passing them, lest they Should afterwards be put to an improper use;—Since the Genl left Germaintown in September last, he has been without his Baggage and on that Acct is unable to Receive Company in the manner he Could wish, but nevertheless he desires the Genls & Field Officers of the Day and Brigade Majrs to dine with him in future at 3 OClock in the Afternoon; A Detatchment of 370 Men properly Officer'd is to parade at Sun Rise on the Grand Parade, Detail the Same as for other Guards, Col. Russell Lt. Col. Mead & Majr Sill are to Command this Detatchment; A Detatchment of 15 Dragoons under the Command of Capt. Smith to be Composed according to Instructions he Shall Receive.

HEAD QRS White Marsh Novmbr 8th 1777

Genl Orders

Majr Genl for tomorrow Green, Brigadier Woodford, Field Officers, Col. Davis the Majr of the 10th Pensylvania Regt Brigade Majr of Genl Scotts Brigade Detail the Same as yesterday; the Service requiring that the men be Ready to march on the Shortest notice, the Officers Commanding Brigades & Corps are to be perticularly Carefull to keep their men constantly Supplied with 2 Days Provisions in hand;—To make the more despatch in the Tryal of Officers under Arrest, Brigade Genl Court Martials, are to be held without delay for the tryal of Such Officers under Arrest as Shall apply to Brigadiers or other Officers Commanding Brigades for tryal before their Courts; The Commander in Chief Approves of the Sentence of the Genl Court Martial to Brigadier Genl Maxwell Publish'd in Genl orders of the 4th Inst but through mistake that approbation was not Inserted.

November 8th 1777

Division Orders

The Genl Requests the Commanding Officers of Brigades & Corps, to improve every opportunity of Desciplining & Manauvering their troops two or three hours in the Course of each Day while the Army Lays encamp'd, it will by no means fatague the men, but will tend to give them Confidence in each other, which in time of Action is Essentially necessary, teaching them to move in large bodys will answer the best purpose, moving in lines at open order & forming, Displaying Collumns by their Center are verry Essential;

As soon as the Genl can be Dismiss'd from other duty, he will give every Assistance in his power to promote this desireable End.

Novmbr 8th 1777

Brigade Orders

Col. Hall of the Delaware Regt is appointed President of the Brigade Court Martial ordered yesterday in place of Majr Jos. Vaughen who is Sick, the Same Court is ordred to Sit to morrow morning at 9 OClock, for tryal of Such prisoners as are under Confinement.

Head Qrs White Marsh Novmbr 9th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Maxwell; Field Officers Lt. Col. Powell, Majr Hurman; Brigade Majr Day, Detail the Same as Yesterday;—Nicholas Vancourtland Esqr. is appointed A D C. to Majr Genl Sullivan and is to be Respected as Such;

One piece of Cannon at Genl Ervins Brigade is to be discharg'd this evening at 4 OClock it being found impracticable to draw the Charge;—All the empty Waggons or which can be emptied without great inconveniency are to be got Ready in the Several Brigades and to be Assembled this day at Such place and hour as the Forrage master Genl Shall direct to be dispos'd of by him.

The Brigadiers & Officers Commanding Brigades are with as much Despatch as possible to have their Brigades paraded & from their own observation to take an Acct of the Articles of Cloathing indispensably necessary for the men, many of the men mount parade daily who make very unsoldier like appearance, the Adjutants and Brigade Majrs will be Respectively Answerable, that hence forward they Bring no man to the Parade whose appearance is not as decent as his circumstances will permit, having their Beards Shaved, Hair Comb'd, Face

wash'd & Cloath put on in the best manner in their Power;— Capt. Craig of Col. Moyland's Regt with his party of horse have taken of Dragoons & 7 Soldiers with their horses, Arms, & Accoutrements, The Genl desires Capt. Craigs leave & others who distinguished themselves will accept his Cordial thanks for the enterprise, Spirit & Bravery they have expatiated in harrassing & making Captives of the Enemy; All the Genl Officers in Camp are to Assemble to morrow at 10 OClock in the forenoon at Genl Greens Qrs to Settle the Rations, the Genl Officers will attend this in preferrence to any other Duty and make Report as Soon as they have finished;

A Detatchment of 370 men are to parade precisely at 3 OClock to morrow morning with their Arms & Accoutrements & 1 Days Provision Cook'd the Brigade Majrs will have their men turn'd out and See everything in order this afternoon, & parade them tomorrow morning with the greatest punctuality the Detail the Same as for other Guards; Col. Spencer Lt. Col. Starr, & Majr Breuster are to Command this detatchment; 24 Light Dragoons are to parade at the Same time and place.

Proceedings of A Regimental Court Martial held at Camp White Marsh Novmbr 9th 1777 by order of Col. David Hall of the Delaware Regt.

Jno. Larimonth Capt. President.

Lt. Jno. Rhodes, Lt. Jas. Bratten, Lt. Caleb Brown, & Ens. Horsman members Serjt Dowds, Hugh Coffell & Andrew Pollard Privates of Capt. Kirkwood's Compy, Confin'd by order of Col. David Hall for burning a tent Serjt Dowds Says he was Asleep & did not know anything of the tents being burnt; Hugh Coffell Says he did not know how the tent got afire;

Andrew Pollard Says he did not know how the tent got afire, for he was A Cutting Cabbage at the time. No Evidence Appearing against the Prisoners, the Court are of opinion that they are not guilty of the Crime alledg'd against them, as it appears to have been an Accident.

JNO. LEARMONTH
Capt. President

The Above Sentence approv'd.

D. HALL
Col. D. R

HEAD QRS White Marsh Novmbr 10th 1777

Genl Orders

Majr Genl for tomorrow Green, Brigadier Smallwood, Field Officers Col. Clark, Majr of Col. Steels Regt Brigade Majr Williams.

Detail the Same as yesterday only Hartleys, Huntingtons, Maxwells, Conways, North Carrolina, & Humptons Brigades furnish Capts Instead of those who furnish'd them yesterday; Col. Stevens is Appointed President of A Court of Inquiry, relative to the Complaint of Jos. Chambers against Lt. Col. Jos. Parker; Lt. Col. Farmer, & 1 Capt. from Genl Wedens Regt & two Capts from Genl Mulenburghs Brigade are appointed members of the Court, which is to Sit at Col. Stevens Qrs to morrow at 10 OClock.

Novmbr 10th 1777

Division Orders

The Court of inquiry whereof Lt. Col. Pope was President to enquire into the conduct of Majr Adams Respecting A

Waggon & Horses taken by him the last Campaign Report their opinions as follows, the Court taken into Consideration Majr Adams Conduct concerning Said Waggon & horses, and from the Several testimonies handed in are unanimously of opinion that he Acted the part of A Gentleman & ought not to bear the least Censure; the Genl cannot help observing that upon perussing the evidence laid before the Court of Inquiry, he not only coincides in opinion with the Court but is fully convinced that few persons in Majr Adam Circumstances that would have taken So much pains to Render Justice to the owner of the Waggon & Horses as he has done.—The Genl has the Satisfaction to Inform his Division that Capt. Pears author of A Letter published in the Virginia Gazette, assuring that this Division first gave way at the Battle of Germaintown, he has wrote another Letter which will be published in the Same paper Contradicting that assertion and rendering them that Justice, which their Bravery will intitle them to, the Resentment Shewn by the Genl Officers of the Army as well as others who were of Different Divisions against the erronious Acct ought to Serve as A Stimulous to excite the Officers & Soldiers on every Similar occation to deserve the good opinion of those Officers who have taken So much pains to do them Justice & Resented A Publication which gave their own Corps A Preference to them & Robbed them of part of the Glory they acquired.

Proceedings of A Regimental Court Martial held by order of Col. Davd Hall of the Delaware Regt Camp White Marsh Novmbr 10th 1777.

Jno. Patten Capt. President

Lt. Wilson, Lt. Wilds, Enss. M Clane, & Hosman Members.

Prisoner Serjt Perry Confin'd by Lt. Duff Charg'd with frequent Drunkeness

Pleads not Guilty

EVIDENCE—Lt. Quenouault being duely Sworn Saith that he Saw the Serjt when the Corporal Confin'd him that he appeared verry much in Liquor, & fell on A tent Just by him, & that he has Seen him in Liquor Several times before; The Court having duely Considred the Evidence are of opinion that he is guilty of a Breach of the 5th A of the 18th Sect of War & do Sentence him to be Reduced to ye Ranks.

Approv'd by COL. D. HALL
D. Regt

HEAD QRS White Marsh Novmbr 11th 1777

Genl Orders

Parole Hudson. C. Sign Delaware. Schuylkill.
Majr Genl for to morrow Lord Sterling, Brigadier Scott, Field Officers, Col. Beauford, Majr Bryard, Brigade Majr McGowan, the Detail the Same as Yesterday.

The Honourable Continental Congress passed the following Resolves, which has been transmitted hither to be made Publick in the Army; In Congress Novmbr 4th 1777.

Resolv'd that his Excellency Governour Casswell of North Carolina be Requested to errect A monument of the Value of 500 Dollars at the expence of the United States in honour of the Memory of Brigadier Genl Nash, who fell in the Battle of Germaintown of the 4th of Octbr 1777 nobly contending for the Independance of his Country; Resolv'd that the thanks of Congress in their own name & in behalf of the thirteen

United States, be presented to Majr Genl Gates, Commander in Chief to the northern Army & to Majr Genl Francis Lincoln & Arnold, the rest of the Officers & men under his Command, for their brave & Successfull Behaviour in Support of the Independency of their Country, Whereby the Army of the Enemy of 10,000 Men have been totally Defeated, one large Detatchment of it Strongly posted and entrench'd having been Conquer'd at Bennington, another Repuls'd with loss & Disgrace from fort Schuyler & the main Army of 6,000 men after being beat in three Actions, & driven from A Strong post & formidable Intrenchments reduced to the Necessaty of Surrendering themselves upon terms Honourable & Advantageous to these States on the 19th of Octbr last to Majr Genl Gates.

That A Medal be Struck of Gold under the direction of the Board of War in Commemoration of this great event & in the name of these United States presented by the President to Majr Genl Gates.

Resolved that Congress have A high Sence of the merit of Col. Green & the Officers & men under his Command for their late Gallant defence of the fort at Red bank on Delaware River & that An Elligant Sword be provided by the Board of War & presented to Col. Green.

Resolved that Congress have an high Sense of the Merit of Lt. Col. Smith & of the Officers & Men under his Command in their Gallant defence of Fort Mifflin on the River Delaware & that an Elligant Sword be provided by the Board of War, & present to Lt. Col. Smith.

Resolved that the Congress have an high Sense of the merit of Commodore Hazelwood the Commander of the Naval Force in the River Delaware, in the Service of the Commonwealth of Pensylvania, & of the Officers & men under his Command in their late Gallant defence of their Country against the Brit-

ish Fleet, whereby two of their Men of War were Destroyed & four others Compelled to Retire, & that an elligant Sword be provided by the Board of War & presented to Commodore Hazlewood;—A Flag will go to the Enemies lines to morrow morning at 10 OClock.

ADVERTISEMENT

Taken yesterday afternoon from Col. Proctors tent a hand-Some Silver Mounted Small Sword, with the handle Bound with Gold the Sheath of Parchment, & the Shell verry neatly Chas'd with zays whosoever will bring the same to Lt. Col. North, Shall be handsomely Rewarded at the Park of Artillery.

HEAD QRTRS White March Novembr 12th 1777

General Orders

Majr Genl for tomorrow Green.

Brigadier Ewin, Field Officers Lt. Col. Nagle, Majr Stewart Brigade Majr Minnes.

		C	L	S	C	P
Detail for to morrow	1st Maryland Brigade	1	1	2	2	29
	2nd Do. Do.	0	1	2	2	25

The Honble the Continental Congress have been pleased to pass the following Resolves Concerning the opinion of the Court of inquiry mentioned in General orders the 6th Inst Relative to Genl Sullivan, In Congress Octbr 20th 1777 Resolved that the Result of the Court of inquiry into the expedition of Staten Island as Honourable to General Sullivan's Charecter, And highly pleasing to Congress, & that the opinion of the Court be published in Justification of the Charecter of that Injured Officer.

It appears that Some Regiments are destitute of Necessary Cloathing although they have been supplied with their full Suits allowed by Congress this must have arrisen, at least in part from the innatention of the Officers not taking lists of their Mens Necessaries & examining them agreeable to General orders, And Calling delinquents to A Severe Acct for what was missing this under our Circumstances is a Neglect of the worst kind & most fatal tendency & demands a most Speedy & effectual Remedy, and although the articles delivered the men beyond the Stated allowance be Charged to them yet in our Situation this does not lessen the evil Complain'd of; The Commander in Chief therefore most Seriously & positively Requests the Officers Commanding Companies, after taking exact lists of the mens Necessaries to examine them Carefully Once A Week agreeable to Genl orders formerly Issued, & if any Non Commissioned Officer or Soldier Shall Sell or willfully destroy, or Carlessly loose any of the Necessaries, he is to be Severly punished at the direction of A Court martial, this is a matter of So important a nature, that the Commander in Chief expects the Officers will pay the most exact attention to it, & that the Genl Officers & others Commanding Brigades, will see this order Carefully & Regularly Comply'd with, It appears also that many men who go into Hospitals well Cloathed are in A manner almost naked, when they get well & Cannot Return to their Regts till they are new Cloathed, to prevent A continuance of this evil, & that the Guilty may be known & Punished, no man henceforward are to be Sent to the Hospitals with out lists of the Company & Regt they belong to & of every article of their Cloathing, these lists to be Signed by their Captain or those Commanding the Company & Transmitted to the Surjeons of the Hospital to which the Sick are Sent to, and if any men are Sent to the Hospitals without Such lists, the Officers

Sending them Shall be punished for their neglect at the Discretion of A Genl Court Martial, And the Surgeons of the Hospitals are as Soon as Possible to Send A Report of Such Officers to the Adjutant Genl.

That the Arms & Accoutrements of the Sick may not be lost or damaged they are agreeable to Genl orders lately Issued to be delivred to the Regimental QRMasters & by them without delay to the Commissary of Military Stores, & never Carried with the Sick to the Hospitals.

There will be A Discharge of Musquettry this Afternoon at 4 OClock at the burial of an Officer of Genl Maxwells Brigade, the Flag which was to have gone to the Enemy to day, will Set off to morrow morning at 9 OClock from the Qrtrs of the Commissary Genl of Provisions.

November 13th 1777

Brigade Orders

This Instant it is Suggested that many of the men mount Guard daily, make a verry unsoldier like appearance, the adjutants & Brigade Majrs will be respectively answerable hence forward for to bring no men to the Parade, whose appearance is not as decent as his Circumstances will admit, having his beard Shaved, hair Comb'd, face wash'd & his Cloaths put on in the best manner in his power, as this order is extended the Brigade Majors I apprehend is to Caution the Adjutants to bring the details from their Respective Regts in this order, & if not Comply'd with it then becomes the Brigade Majrs duty to Report or put under Arrest the Adjutant in fault, it is therefore Strictly Required to Report Such Adjutant in every instance who do not Comply with this order, in like manner to Report Such Adjutants who furnish their detail for Picquetts

without Cartridges Sufficient to mount with these Gentlemen may order their Serjeant Majors to See this duty done, but does not Justify its not being Comply'd with.

The Brigadier is verry Sorry to Observe that there is A General neglect in the Adjutants Department in point of Applying for orders except Col. Richardsons Adjutant who alone Condescends to Apply for them, it is expected this admonition will after the practice; If Cartridges are wanting an order will be given on the Park on Application; The Adjutant General has Complained of the Field Officers appointed from this Brigade for Picquetts not attending, it may not be Improper to Remark that there is not only neglect in them, but perhaps the Adjutants, in Complying or Destributing the orders in their Respective Regiments.

Head Qrtrs White March Novmbr 14th 1777

General Orders

Major General for tomorrow Green.

Brigadier Maxwell, Field Officer Lt. Col. Barber, For Picquett Majr. Miller, Brigade Major Mullen.—An Officer of the North Carolina Brigade is to be Buried this afternoon at 4 OClock with Military Honours; The Brigadiers & Officers Commanding Brigades, who have not Compleated their Cloathing Returns According to Genl orders of the 9th Inst are to do it without delay, & all the Brigadiers & Officers Commanding Brigades are to meet together to morrow at Genl Hunting's Quarters to Compare the wants of their Brigades & agree on the manner in which the Cloathing Shall be destributed, the wants of Col. Morgans Regt & others not included in the Brigade Returns are to be in like manner Considred, Mr. Rimsier the Deputy Cloathier Genl is to attend the meeting & take

the directions of the board, for the present & further distribution, A Considerable Quantity of Cloathing being on hand it is the highest importance that this order be executed with the greatest punctuallity.

The Court of Inquiry held the 11th Inst whereof Col. Breardly was President relative to the Complaint of Joseph Chambers late Commissary to Genl Greens Division against Col. Joseph Parker for ordering A Serjt And file of men to whip Said Chambers, made the following Report Viz:—

As Col. Parker owns the fact the Court after hearing the evidence produced by him in his defence are unanimously of opinion, That however Negligent the Commissary might have been in the Discharging of the duty of his department, yet Col. Parker was by no means warrantable to inflict private punishment upon him, that the punishment was Illegal & his Conduct highly Reprehensible as being Subversive of Good order and Discipline.

Such Brigades as Choose to have their flower baked in good bread may have it done by Sending it with two Bakers from their Brigades Respectively to Leonard Stone Burners next to Chewshouse in Germantown where the Baker General will Superintend the Work.

ADVERTISEMENT

Novmbr 14th 1777

The Riding horse and wearing apparell of Majr White late Aid-de-Camp to Genl Sullivan will be Sold to morrow at 12 OClock at Genl Sullivans Qrtrs.

HEAD QRTRS White March Novmbr 15th 1777

General Orders

Major General for tomorrow Lord Sterling, Brigadier Wayne, Field Officers Lt. Col. Gray Majr Slaughter, Brigade Majr Alder, the detail the Same as Yesterday.—Hence forward & untill further orders the Sick are to be Sent to Buckingham meeting house, with A Suitable number of orderly men to attend them; the troops are to be immediately Supplied with two days provisions exclusive of this day, one of which at least to be Cook'd, no Officer or Soldier is to be absent from Camp but ready for duty at A moments warning; No Scouting party on any pretence whatsoever unless Sent for that purpose is to Seize Horses, Cattle, or other property belonging to the Inhabitants under the plea of taking these things within the enemies lines;—Great & erroneous abuses are Committed and Infringements, therefore A Disobedience of these Orders in either Officers or Soldiers will be punished with the utmost Rigor, Complaint has been made of the Irregularities in point of time with which the Horse mount Guard, the Commander in Chief expects they will parade with more punctuallity for the future, he also desires that the Cols of those Regts which have more horses than men, would immedietly furnish by way of Loan the others that are in want of Horses that men may be mounted & the publick not unnecessarily burthen'd.

AFTER ORDERS

One Subaltern 1 Serjt 1 Corpl & 17 privates of the 1st Maryland Brigade, are to parade on the Grand parade precisely at 4 OClock this afternoon with their Arms &c to go on detachment for A number of Days, Provision will be Sent after them to morrow.

HEAD QRTRS White March Novr 16th 1777

General Orders

Brigadier Smallwood, Field Officer Col. Fibiger, Majr Skull, Brigade Majr Parker; Detail as Yesterday, A large Quantity of Materials for Cartridges have been Issued & few Cartridges Returned to the Commissary of military Stores; Returns are to be made to morrow afternoon by each Brigade of the number of Cartridges in their possession, the Returns are to Show the number in each Regt how many are in the hands of the Soldiers, & where the residue are Deposited.

Novmbr 16th 1777

Brigade Orders

The Commandants of Regts are Requested to examine the State of and have the arms in their Respective Regts put in the best order, & make Returns of the number of Cartridges on hand, & apply for orders on the Commissary of Millitary Stores to Compleat 40 Rounds, & the Commandants of the Militia in like manner to Compleat to 23 Rounds;

Weekly Returns have not been yet Generally Rendred; the Officers are Required to make out lists of their Companies Clothing & examine once or twice A week into the State of the same to prevent the waste or Sale thereof agreeable to the requisition of A Genl order issued on the 12th Inst; the Capts of Militia Companies are to inspect frequently their mens Cartridge Boxes, to prevent the waste or embezzlement of the amunition, The Col. or Commandants will appoint an Officer from each Regt to attend at the Clothier Genls at 10 OClock in the morning to Receive their proportion of Cloathing which are to be distributed to morrow.

HEAD QRTRS White March Novnbr 17th 1777

General Orders

Major Genl for tomorrow Lord Sterling, Brigadier Scott; Field Officers Col. Summers Majr Lidquish, Brigade Majr from Genl Scotts Brigade, Detail the Same as yesterday 80 men with 1 Capt 4 Subs 8 Serjts & Corporals to parade at 1 OClock this day to Relieve the Residue of the Guard, two Brigades under marching orders not having Sent their Quotas in the morning; Some Officers yet remaining untried & many prisoners in the provost, Brigade Court martials are to be held for trying them without delay.

No pass is to be given to anyone to go into Philadelphia, but by the Majr Genl of the day, who will not grant them without due examination & upon the most Necessary Occations; At the Request of Col. Price A Court of inquiry is to Sit to inquire into his conduct on Sundry occations to morrow forenoon at 10 OClock, at the Tavern next to Col. Biddles Qrtrs, all persons who have any assertions or any Complaints to make against him, or know any thing amiss in his past Conduct are desired to appear & declare the Same before the Said Court; Cols. Hartley, & Humpton & Lt. Col. Craig are appointed members of this Court.

Col. Summers is appointed field Officers of the day for to morrow in the Room of Lt. Col. Pope who is absent.

HEAD QRS White March Novmbr 18th 1777

General Orders

Majr Genl for tomorrow Green, Brigadier from North Carolian Brigade Field Officers Lt. Col. Patten, Majr Vaughen, Brigade Majr Stodert, Detail the Same as Yesterday.

The Goverment of Pensylvania having appointed Commissioners in each County thereof to Collect Blankets & Cloathing for the army; all Officers Sent Round in the State for that purpose are by their Commanding officers to be called in as Soon as possible with what Cloathing they have.

A Detachment equal to the Dailey Guard to parade tomorrow morning at ½ past 3 OClock precisely on the Grand parade, with one days provision Ready Cook'd the Brigade Majrs will have their men drawn out at Retreat beating today, & See that they are properly warn'd for that duty, Col. Joseph Carvel Hall will Command the Detachment, & under him Lt. Col. Burr & Majr Adams. The Remains of the late Capt. Foster of the 15th Virga Regt will be interred this afternoon at 4 OClock with the Honours of War, Richard Clayburn Esqr. is appointed Brigade Majr to Genl Weedens Brigade & is to be obeyed as Such.

Head Qrs Novmbr 19th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Woodford, Field Officers Lt. Col. Woolford Majr West, Brigade Majr Williams. The Pensylvania Field Officers are immedietly to bring in their old Commissions & Receive new ones.

The Genl Officers are to assemble to morrow at 10 OClock at Genl Huntingtons Qrs to Settle the Rank of the Field officers of Horse, who are to attend this Board of Genl Officers & exhibit their respective Claims—all the arms unfit for Service deposited in the different Regts & Corps are to be Sent to the Commissary of Military Stores who will have them Repaired.

HEAD QRS Novmbr 20 1777

General Orders

Majr Genl for tomorrow Lord Sterling, Brigadier Maxwell, Field Officers Col. Richardson Major of the 5th North Carolina Regt Brigade Majr M Gowen, Lt. John Marshall is by the Judge Advocate Genl Appointed D. Judge Advocate in the army of the United States And is to be respected as Such, James Munro Esqr. formerly appointed Aid-de-Camp to Lord Sterling, is now appointed A. D. C to his Lordship in the Room of Majr Wilcocks who Resighned the 20th Octbr & is to be Respected as Such; Mr. Wm M Joy is appointed Paymaster to the 9th Virga Regt & is to be Respected as Such. The Clothier Genl has Received about 400 Blankets the Several Brigades are to Send for their Quotas of them. Before the Sick are Removed application is to be made to Doctr Cochran or other Directors to the Hospitals for directions unless the places where they are to be Sent are previously pointed out in Genl orders; no more Sick men to be Sent to Buckingham meeting house to take Care of the Sick; the Serjt & 12 men are to parade at Doctr Cocharn's Qrs at Mr. Wests house precisely at 4 OClock in the afternoon & apply to him for orders; A Genl Court Martial of which Lt. Col. Barber was president held the 15th Inst & proceeded to the tryal of Ens. Clement Wood of the 4th Jersey Regt Charged with absenting himself for upwards of 3 months from the Regt without leave & also of Disobedience of orders, the Court determin'd that Ens. Wood is Guilty of the Charge exhibited against him, that he be dismissed the Service & that he Receive pay no longer than the time he Received orders of Lt. Col. Brearly, which was on the 4th Octbr 1777.

The Commander in Chief approves of the Sentence & orders it to be put in execution immediately; A Genl Court Martial

of which Majr Genl Sullivan was president held the 3rd Inst & divers other days to the 17th Inst inclusive for the tryal of Majr Genl Stevens, charged with first Unofficerlike behaviour on the march from the Clove, Secondly his unofficerlike behaviour in the Action of Brandewine & Germantown, thirdly Drunkeness, the Court declare their opinion & Sentence as follows; The Court having Considered the Charges against Majr Genl Stevens are of opinion that he is guilty of unofficerlike behaviour in the Retreat from Germantown, owing to inattention or want of Judgement & that he has been frequently Intoxicated since in the Service to the prejudice of Good order & discipline & Contrary to the 9th Article of the 18th Section of the articles of war, therefore Sentence him to be dismissed from the Service; they find him not guilty of any other crime he was Charg'd with, & therefore acquit him as to all others except the two before mentioned, the Commander in Chief approves the Sentence.

HEAD QRS White March Novmbr 21st 1777

General Orders

Major General for tomorrow Sullivan, Brigadier Wayne, Field Officers Lt. Col. Burr, Majr Adams Brigade Majr Hitchcock, Detail the Same as Yesterday; Those paymasters of Regts that have drawn pay for any Officer or Soldier in Col. Morgan's Rifle Corps are immediately to pay the Sum over to the Paymaster of that Corps; A Detachment of 80 men with proper Officers are to parade at 3 OClock this afternoon on the Grand parade.

Complaints are made that by the Carelissness of the Butchers the Hydes are greatly Damaged in taking them off, the Issuing Commissaries are enjoined daily to inspect the Butchers they

imploy & See that they take off the Hydes with proper Care No more coming out of Philada is to be allow'd to pass the first Guards without being told that they Cannot Return again, if upon being inform'd of this, they chuse to come out, they are to be permitted to pass the Guards into the Country, the Genl of Horse will give this in Charge to all parties & patroles of Horse. The Officers of the Day Report that Sentries from the Picquetts keep fires by them, this dangerous practice is absolutely forbid, And all Officers of Guards are without fail to Visit all their Sentries between every relief to See that they are allert & keep no fires, & in cold & bad weather they are to Relieve the Sentries every hour, they are also to see that the Sentries are well inform'd of their duty, & to instruct Such as are deficient.—Advertisement Lost last evening near Col. Biddle's Qrs A pair of Seven barrel Silver mounted Pistols, the locks on the tops of the Barrells, whoever will bring them to Genl Waynes or Col. Biddles Qrs Shall Receive 8 Dollars Reward.

Novmbr 21st 1777

Division Orders

A Court of inquiry to Sit tomorrow morning at 10 OClock in Such place as the president Shall appoint to enquire into the Conduct of Lt. John Skinner, of the 7th Maryland Regt at the battle of Brandewine And also into the behaviour of Lt. Jonathan Morris of the Same Regt in the Action of Germantown Majr Vaughan of the Delaware Regt President 1 Capt & A Subaltern as Members. All persons Conscerned will give attendance.

HEAD QRS White March Novr 22nd 1777

General Orders

Majr Genl for tomorrow Lord Sterling, Brigadier Smallwood, Field Officers Lt. Col. Ford, Majr Lockart Brigade Majr Barber; Detail as yesterday. The Genl Court Martial of the line of which Col. Grayson is president is to Sit to morrow morning at 10 OClock at the house where Genl Huntingtons Qrs for the tryal of all prisoners which Shall be brought before them, an orderly Serjeant from each Brigade to attend the Court, Lt. Col. Heath, Lt. Col. Barker, & Majr Taylor & A Captain from each Continental Brigade to attend the Court as members all the Genl Officers present in Camp are desired to meet at Lord Sterling's Qrs to morrow at 10 OClock in the forenoon to Settle the Rank of the Field Officers of Horse, who are to attend the board & exhibit their Respective claims, The Brigades commanded by Genl Patterson, & Leonard are to form A Division, under the Command of Majr Genl the Baron de Kalb. The Horses taken yesterday by the Scouting party commanded by Col. Bosrit, assisted by A party of our light Horse, are all to be brought to the QRMGenls Quarters tomorrow morning at 10 OClock, & Sold at Publick vendue, the produce of the Sale is immediately to be divided by the Quarter Master Genl Between the Captors.

AFTER ORDERS

Lt. Col. Smith will detach from the troops under his Command 1 Capt. 2 Subs & 50 Privates to be Ready to march this afternoon precisely at 4 OClock with one days provisions Cook'd, Capt Jarvis will Command the Detachment & apply immediately to Col. Biddle Forrage Master Genl for A Guide & further directions; A Subaltern of Horse with 12 Light

Dragoons will parade at Col. Biddle's Qrtrs precisely at 4 OClock tomorrow morning, where orders will be Ready for the Subaltern.

Novmbr 22nd 1777

Division Orders

The Division is to be Ready to march in the morning at day light with such provisions as they have on hand, the tents are to be left Standing, no Blankets are to be Carried, as the troops will return again in the evening, as Soon as the Division is form'd they are to march off from their left in Sub divisions on the main Road leading to Germantown.

Head Qrtrs White March Novmbr 23 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Scott, Field Officer Lt. Col. Powell, Lt. Col. Lytell Brigade Major Ridley,—The Court of enquiry held the 18th Inst of which Col. Humpton was President to inquire into the Conduct of Col. Price of the 2nd Maryland Regt Report as follows Viz: .

The Court after Considering the evidences against & for him are of opinion that the Reports Circulating to the prejudice of Col. Price are without the least foundation; The Genl Court Martial of the line ordred to Sit today, is to Sit tomorrow morning at 10 OClock, at General Huntington's Quarters.

Head Qrtrs Novmbr 24th 1777

General Orders

Majr Genl for tomorrow Lord Sterling, Brigadier, Irvin, Field Officer Col. Price Majr Polk—Brigade Majr Parker.—

Information having been given that divers of the late Sutlers & Some of the Inhabitants have opened tipling houses in & adjacent to the Camp of the Army by which the desighn of banishing Sutlers from the Army is in a Great measure frustrated; The D QR Masters is required forthwith to make deligent inquiry & examination in discovering Such houses & Suppressing them, & assure all Such as have driven Such a pernicious trade that if continued any longer their Liquors Shall be Seized, & they expell'd from the Neighbourhood of the army on pain of the Severest punishment if they Return.—The legislative of New Jersey having made provision for Supplying their troops with Cloaths & Blankets, all officers Sent thither for the purpose of Collecting Cloaths are by their Commanding officer to be immediately recalled.

Camp White Marsh Novmbr 25th 1777

Regimental Orders

That the muster Rolls for the month of November be immediately made out, and Ready for the Muster Master by the 30th of this Inst. That each Commander of a Company have a roll of the Necessaries each man is at this time possessed of, & what Quality, & that an examination into Such necessaries be made at least once a Week.

Head Qrtrs White Marsh Novmbr 25th 1777

General Orders

Majr Genl De Kalb, Brigadier Woodford, Field Officers Col. Hanson, Lt. Col. Smith Brigade Majr Stodart.

For the information of the troops lately arrived in Camp, the Genl orders issued Sometime Since is Repeated that Tattoo is not to be beaten in Camp.

White Marsh Novmbr 25th 1777

Brigade Orders

A Brigade Court martial whereof Col. Richardson is President, Consisting of 6 Captains & 6 Subalterns is ordred to Sit this evening at 3 OClock on Lt. Skinner Charg'd with misconduct in the Action of Brandewine, & on Lt. Morris Charg'd with misconduct at the action of Germantown both of the 7th Maryland Regt to morrow at 10 OClock the Said Court is Required to proceed to the Tryal of all prisoners belonging to this Brigade now under Confinement. Col. Gunby 2 Capts 2 Subs are to compose a Court of inquiry, to inquire into the Conduct of Lt. Hilmot of the 3d Maryland Regt Charg'd by Capt. Maxwell of the 2nd Jersey Regt with having possession of A parcell of Sd Maxwells Baggage which never has been rendred or Accounted for to him, this Court is to Sit at 3 OClock.

Head Qrs White Marsh Novmbr 26th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Maxwell, Field Officer Lt. Malcom, Noah Cato Majr Brigade Majr Paterson;—If any Gentleman of the Army can give information to the General of Shoes, Stockings, or leather breeches in Quantities he will be exceedingly oblidg'd to them, & will likewise be oblidg'd to any Gentleman officer for recommending proper persons to be employed in Collecting those Articles.

General Smallwood & the Colonells of the Maryland Regts are to meet to morrow morning at 9 OClock at Genl Smallwoods Qrs to state as far as they can the Rank of the other Officers in those Regts & the dates which their Commissions ought to bear, where there are Compositions for Rank among

the Cols they are to Settle their Claims; The money for the payment of the Army for Septr is expected every moment, the Regimental Paymasters are immediately to make out their abstracts for Octbr & deliver them to the Paymaster Genl for examination; As an alteration in the payment of Rations is now under Consideration of Congress it is Recommended to the Commanding Officers of Regts not to add their Ration Accts to their Pay rolls untill the determination is known it will be signified in Genl orders. The Paymaster Genl has complain'd of the Slovenly careless manner in which Some Captains make out their Pay Rolls; Regimental Paymasters are not to Receive any but Such as is made out fair & agreeable to a Coppy sometime Since given by the Paymaster Genl, which the Regimental Paymasters are to furnish Such Captains; which have not already Received the Same; No Regimental Paymaster is to leave the Service without first applying to the Commander in Chief, or any new paymaster appointed without his approbation.

CAMP AT WHITE MARSH Novmbr 27th 1777

Proceedings of A Regimental Court Martial held this day by order of Col. David Hall for Such Prisoners as may be brought before them.

Cord Hazzard Capt. President

Lt. Quenouault Lt. Duff	Lt. Bratten Lt. Jos Wilds

PRISONERS CRIME—Wm Howell of Capt. Hazards Compy Confin'd by order of Majr Vaughen for abusing Serjt Thompson, Pleads Guilty but says he was headdy, & was Rather rash in contradicting Serjt Thompson; EVIDENCE—Serjt Thompson being duely Sworn deposeth that the prisoner yesterday evening

on Parade was told by him to incline to the left & Join his Compy he told him he would not, upon which the Serjt Shov'd him in his place, the Prisoner then called him a Chuckleheaded Son of a bitch, the Court after Considering the nature of the offence And evidence, are of opinion that the Prisoner is Guilty of a Breach of the 15th Artcle of the 18th Section of the Articles of War & do Sentince him to Receive 20 Lashes for abusing the Serjt & 10 for being disguised in Liquor. John Blake & Thos Giles Confin'd by Lt. Rhodes Blake for giving Giles his Shirt & Giles for Selling it; Both pleads guilty but Blake Sais it was A Shirt he brought from home with him & that he had three more; the Court are of opinion they are Guilty of A breach of the 3d Article of the 12th Sect. of the Articles of War & do Sentence Blake to Receive 39 Lashes & Thos Giles 30 on the bare back.

The above Sentence approv'd omitting 24 of Blakes & 18 of Giles.

D. Hall
Col. D R

Head Qrs Novmbr 27th 1777

General Orders

Majr Genl for to morrow Lord Sterling, Brigadier Patterson, Field Officers Col. Bailey Lt. Col. Cobb Brigade majr Williams, A Detachment of 300 men to parade to morrow morning on the Grand Parade precisely at half past 3 OClock Col. Hall, Lt. Col. Craig, & Majr Taylor are appointed field officers for the Detachment. A Detachment of 100 men to be under the Command of Capt. M Lane are to Parade to morrow morning at Sun Rise on the Grand Parade with one or two days provisions & Boxes full of Amunition they will be absent from Camp one week near the Enemies lines.

WHITE MARSH Novmbr 28th 1777

Brigade Orders

The Commandants of Regular & Militia Regts are requested to Render Returns immediately of Such Arms & Accoutrements as are wanting that they may be Supplied to morrow morning. The Brigadier is sorry to find the Arms in Such bad order.

Novmbr 28th 1777

Division Orders

The Commanding Officers of Corps is to See that their mens arms are in proper order that they be furnished with Cartridges Sufficient to fill their Boxes, & that each Regt have in reserve A Sufficient number of Cartridges to compleat them to 40 Rounds, Ready to be delivered at a moments Warning, the Reserve Cartridges not to be deliv'd out without Special orders, unless the approach of the Enemy is announced by three pieces of Cannon from the Artillery Park, the Soldiers are to have one days provision Cook'd by them from day to Day; the Officers to be perticularly attentive to these orders, & see that they are carried into execution. No Officer or Soldier to be out of Camp upon any pretence whatsoever.

HEAD QRS White Marsh Novmbr 28th 1777

General Orders

Majr Genl for tomorrow De Kalb, Brigadier Learned, Field Officers Col. Gunby, & Majr Hogg Brigade Majr M Cleave. A Genl Court Martial held the 24th Inst of which Col. Grayson was President, Major Ross Charged with leaving his arms in the field in the Action of the 4th Octbr near Germantown

was tried & Acquitted with the highest honour; the Commander in Cheif approves the Courts Judgment, & orders Majr Ross releas'd from his Arrest.

Head Qrs White Marsh Novmbr 29th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Wayne; Field Officers Col. Marshall Lt. Col. Caryle Brigade Majr M Clinton—The Commanding Officers are to See that their mens Arms are put in the best order possible, & the loaded Arms Such as Cannot be drawn to be Discharged the first fair day at 11 OClock in the fore noon, & them that can be drawn to be drawn immediately, to prevent the want of lead the men of each Regt or Brigade are to Discharge their pieces into A bank of dirt from whence the lead may be taken again, A Court on inquiry is to Sit tomorrow morning at 9 OClock at Col. Gists Qrtrs to inquire into the conduct of Capt. Edward Scull of the 4th Pensulvania Regt.

In ordering the Paymaster of that Regt. to pay Capt. Wicks a Sum of money for A purpose Suggested to be Unwarrantable, Col. Gist President of this Court, Lt. Col. Barber & Majr Ross members; Col. Spencer is appointed President & Majr Byard & A Capt of Col. Lees Regt members of A Court of inquiry into the Conduct of Lt. Reynolds of Col. Malcolms Regt for Abusing Danl Whesserly Esqr. & other persons on the 2nd Augst last as exhibited in their Deposition.

Head Qrs White Marsh Novmbr 30th 1777

General Orders

Majr Genl for to morrow Green, Brigadier Smallwood, Field Officers Col. Coatland & Majr Smith of 5th Maryd

Regt Brigade Majr of Learnerds Brigade, Detail the Same as yesterday, On the 25th Novembr the Honourable the Continental Congress passed the following Resolution, Resolved that Genl Washington be directed to publish in Genl orders that Congress will Speedily take into Consideration the merits of Such Officers as have distinguished them Selves by their intrepidity & attention to the Health & discipline of their men, & adopt Such Regulations as Shall tend to introduce order & good Discipline into the army & to Render the Situation of the Officers & Soldiers with Respect to their Cloathing & other Necessaries more eligible then it has hitherto been; Forasmuch as it is the indispensible duty of all men to adore the Superintending Providence of Almighty God; to acknowledge with Gratitude their obligations to him for benefits Received & to implore Such further blessings as they Stand in need of, And it having pleased him in his Abundant Mercies; Not only to Continue to us the innumerable bounties of his Common Providence, but also to Smile upon us in the prosecution of Just and present War, for the Defence of our infallable Rights, & Liberties, Its therefore Recommended by Congress that Thursday the 18th day of December next be Set apart for Solemn thanksgiving & praise; that at one time & with on one Voice the Good People may express their Gratefull feelings of their hearts & Consecrate themselves to the Service of their Divine Benefactor, & that together with their Sincere Acknowledgements & offerings they may Join their penitent Confession of their lives, & Supplications for Such further Blessings as they Stand in need of; The Chaplains will take proper notice of this recommendation that the day of Thanksgiving may be duely observed in the Army Agreeable to the Intention of Congress; The Regimental Paymasters are to Call upon the Paymaster

Genl & Receive the pay for the month of September, those who have delivered in their abstracts for the month of October, may Receive for that month also.

CAMP WHITE MARSH Novr 30th 1777

Proceedings of A Regimental Court Martial of the Del. Regt Commanded by Col. David Hall & by his order.

Capt. John President.

Lt. Rhodes Ens. Berry	Lt. Brown Ens. Campbell.

The Court having met according to order proceeded to Buisness, When Martenius Sipple of Capt. Mores Compy was brought before them Charged with abusing Serjt Johnston when he ordered him on duty; prisoner pleads Guilty; And says it was A private of the Same Compy which he was abusing & not him, EVIDENCE—Serjt Johnston being duely Sworn deposeth that in the morning as usual he went to turn out the men for Picquett of Capt. Moores Compy at which time the prisoner was Sitting at A fire at his tent doore, he asked the prisoner why he did not repair to the parade, and if he did not hear the Serjt Majr calling for the Picquett, that the Prisoner made no answer to this, that he called him again & Asked him why he did not come along to which he Replied as the Serjt pass'd him, Go along you yellow Son of A Bitch; The Court asked the deponent if he firmly believed that the prisoner intended the Abuse for him; Answr—He is not Certain, but understood it so at that time EVIDENCE—Benjamin Modey Private of Capt. Moores Compy being duely Sworn Deposeth that he heard the Prisoner & Wm Ploughman of Sd Compy disputing & that the prisoner repeated the words, Yellow Son of A Bitch but does not know whether he intended it for the

Serjt or Plowman; The Court having duely Considred the Crime & evidence & are of opinion that the abuse was meant for Ploughman & not for Serjt Johnston, & are farther of opinion that he is Guilty of A Breach of the 1st Article of ye 7th Sect. of War, & do Sentence him Agreeable to Sd Article to ask pardon of the party offended in presence of his Commanding Officer. Cornelius M Glaughlen of Capt. Learmonth's Compy brought before the Court, Charged with Neglect of duty & drunkeness; Pleads not Guilty, but says he was A little Groggy but not so as to Render him unfit for duty; EVIDENCE—Capt. Hugh Kirkpatrick waggon Master being duely Sworn Deposeth that he ordered the Prisoner to go for his Waggon which was at the Wheel-Wrights to be mended, but found him So drunk that he was uncapable of doing it; Ques.—Did he Refuse to obey your orders, Answr—No but I Judged it would be unsafe to Send him in the Situation he appeared to be in, & farther Says he had no further Complaint against him Since he has been under his Care but that of Drunkeness.

The Court having duely Considered the Crime & Evidence are of opinion he is Guilty of A Breach of the 5th Article of the 17th Section of War, & do Sentence him to Receive 39 Lashes on his bare back well laid on the Court from the Age of the Prisoner & at the Request of the Waggon Master Recommend him to mercy—

JNO. PATTEN
President

The within Sentence's approved & Cornelius M Laughlen being Recommended to mercy by the members of the Court is pardoned.

DAVID HALL
Col. Delaware Regt

Decembr 1st. The Court met according to Adjournment & Reasumed the tryal of Wm. Peat when Ens. Hosman took the place of Ens. Berry, as member of Said Court;— The Prisoner being brought before the Court pleads not Guilty; Capt. James Moore being duely Sworn Deposeth that after the Prisoner Returned from the Fort he applied to the Paymaster for A months pay but was Refused in Consequence of Capt. Moores requesting him not to let him have it, that the prisoner then Came to this Deponent & asked him in A Verry abrupt manner if he did not intend to let him have any more money, upon which he told him to Remember the Contract he had made with his mistress (To Wit) that half his pay was to be Stop'd for her use, & that he had Received his whole pay in the Deponents absence for which Reason he Stopp'd his pay at present, that the prisoner in an angry manner that if that was the Case he would Stay no longer in the Company, but would go into the Artillery upon which the Deponent having A Stick in his hand Said that if he did not go about his buisness he would beat him, & that if he wanted to go into the artillery he would See to the placing him there (but in a tone that the prisoner could not understand for his assent) that Some time after the prisoner again mentioned his desire to the Deponent of going into the Artillery upon which he told the prisoner that he must be Sensible he had used him Verry ill, upon which the prisoner told him he had not before Rightly understood how much of his pay was to be Stopp'd that the Deponent then told him, that if he went to the artillery he would Receive no more of his pay than if he Staid, that it would be Still in his hands & that he would Retain one half for the use of his Mistress, & farther told him to be content & let him hear no more of it, upon which the prisoner went away contented as this Deponent thought, that in a Day

or two after this Deponent was informed, that the Prisoner had taken all his Cloaths & gone to the Artillery, upon which he Sent for him & put him under Guard; EVIDENCE—David Miller Drummer being duely Sworn Deposeth that the Prisoner came into his tent & took up his Kanpsack with his Cloaths & Said he would not Stay any longer in the Company, that he had not been used well, & would go into the Artillery upon which he went off.—EVIDENCE—Serjt Pharis being duely Sworn, Deposeth that Ens. Berry Sent Serjt Johnston to look for the Prisoner & the Deponent went with him, that they found the prisoner with the Train Standing at A fire, that they ordered him back to his Regiment, that the Prisoner Refused & began to abuse the Serjt upon which the Deponent Struck the prisoner with A Switch he had in his hand, that the prisoner then made an attempt to Seize a pole at which time the Serjts laid hold on him & brought him off;— The Court having duely Considred the Crimes & Evidences are of opinion that the Prisoner is Guilty of A breach of the 2nd Article of the 6th Section & 5th Article of the 18th Section of War & do Sentence him to Receive 100 Lashes on his bare back with the Cat of Nine Tails well laid on.

JOHN PATTEN
D. Regt Presdt

The Above Sentence is approved & ordered to be put into execution at Retreat Beating.

JOS. VAUGHAN
Majr D. Regt

HEAD QRS White March Decmbr 1st 1777

General Orders

Majr Genl for tomorrow Lord Sterling, Brigadier Ervine, Field Officers Col. Wilson & Lt. Col. Stodard; Brigade Majr

M Gowen, Detail as yesterday Mr. Robt Duncan is appointed Paymaster to the 4th North Carolina Regt & is to be Respected as Such; A Genl Court Martial is to Sit to morrow morning at the Tavern next to Col. Biddles Quarters for the tryal of all Such Prisoners as Shall be brought before them; Col. Ogden is appointed President, Lt. Col. Syms, Majr Wallace, & Majr North 1 Capt from the 1st & 2nd Pennsylvas Maxwells, Conways, Woodfords, Scotts, Poors, Pattersons & Learnerds Brigades, are to be members of this Court; the Officers are to make out their Muster Rolls to the first of December immediately, the term of time for which they are Inlisted in every muster Roll, the Non effective are not to be inserted A Second time Officers must pay A Strict attention to the orders, which have been Issued respecting this part of their Duty.

Head Qrs White March 2nd Decmbr 1777

General Orders

Majr Genl for to morrow De Kalb, Brigadier Mulenburgh, Field Officers Col. Bradford Majr Thomas; Detail as yesterday: Returns are to be made out early tomorrow morning of all Officers & men in the Several Brigades & Corps who have not had the Small Pox; Every Col. or Officers Commanding Regts or Corps to make out A Return to the Paymaster Genl of every Paymaster that has belonged or done duty as Such in Regiments, or Corps, the place of their abode & ye time when they left the Service.

Advertisement A young likely Bay mare, Some Cloaths & linnen the effects of the late Lt. Col. Smith will be Sold to morrow morning at 10 OClock, in front of Genl Scotts Brigade;—After Orders Decmbr 2nd 1777 When the alarum is given by firing three guns, the whole Baggage & provisions of

the Army, tents included to be put in Waggons, & immediately march the following Roads Viz. The right Wing of both lines, by the North Wales Road & the Road by Edgers mill & proceed to the 24 mile Stone on those Roads, unless further orders are Received; The left Wing by the two Roads leading from the left of the army into the old York Road, at 13 & 15 mile Stones untill further orders;—Whether the alarum is given or not, the whole Army is to be under Arms at daylight, when the lines will be properly formed by their Respective Majr Genls.

Friday December 5th Struck tents about 4 OClock this morning & Sent the Baggage away March'd about 8 OClock in the evening about one mile to our left & took Ground to our allarum post at the foot of a hill opposite a paper mill & lay under arms this night, Monday evening the 8th the Enemy retreated into Philadelphia, Thursday 11th December, at 4 OClock this morning Struck tents & March'd to Matsons Ford on Schuylkill & there cross'd the Bridge being 8 miles Recross'd it again & in the evening march'd about 4 miles & incamp'd on a hill opposite to the Swedes ford in all 12 miles, Friday 12th March'd about sun set cross'd the Bridge at Matsons ford & encamp'd on a Hill near the Gulph mill in Chester County being 6 miles.

HEAD QRTR'S Gulph Mill December 13th 1777

General Orders

Maj'r Genl for tomorrow Green, Field Officer Col. Fibeger Majr Miller Brigade Majr MClare, The Officers without delay are to examine the Arms & Accoutriments of their men & see that they are put in good order, Provisions are to be

drawn & Cook'd for tomorrow & next day, a Gill of Whiskey is to be issued immediately to each Officer Soldier & Waggoner, the weather being likely to be fair the tents are not to be pitch'd, but the axes that are in the Waggons to be Sent for without delay that the men may make fires and keep them selves Comfortable for the ensuing night— The Army is to march precisely at 4 OClock to morrow morning, an Officer from each Regt is to be sent forth with to the encampment on the other side Schuylkill to Search that & the Houses for all Straglers & bring them into their Corps, all the Waggons not yet over are to be sent for & got over as soon as possible.

Mr. Archibald Read is appointed Pay Master to the 8th Pennsylvania Regt & is to be respected as such.

Division Orders

The Officers who go from the Division to the old encampment on the other side Schuylkill are to examine all houses for Sick, & impress Waggons to Convey them to Reading Sending a Carefull Officer with them.

Head Qrtrs Gulph Mill Decr 14th 1777

General Orders

Majr Genl for to morrow Lord Sterling, Brigadier Woodford, Field Officers Col. Biglow Brigade Majr McClintic, Col. Steward is appointed Field Officer of this day in the room of Col. Fibiger absent: Details for guard the same as yesterday, only Genl Weedens, Learneds, Nernons and Scotts Brigade, Give Capts in room of those who furnished them yesterday, the Guards parade at 3 OClock Delawares to furnish

1 L, 2 S, 2 C, 24 P for Guard, the Regts of Horse are to draw Provisions from any issuing Commissary laying most Convenient to them upon proper return thereof, Such Baggage as is not absolutely Necessary for the troops, and all Commissaries & other Stores to remain on this side the Gulph.

HEAD QRTRS Gulph Decembr 15th 1777

General Orders

Majr Genl for to morrow Marquis La Fait, Brigadier Maxwell, Field Officer Col. Swift Lt. Col. Wozinbuk Brigade Majr from Larnerds Brigade: Detail of Guards to morrow morning at 9 OClock, the same as this day, only the 1st & 2nd Maryland Brigades 2d Pennsylva & Maxwills furnishes Capts instead of those Brigades which gave them to day, A field Officer of each Brigade to Inspect immedietly all the men of this Brigade now with the Baggage, & take from thence every man who is fit to duty in the lines; Majr Snead is until further orders to take Charge of the men left for the Baggage Guard, & report any left Contrary to orders.

HEAD QRTRS Gulph Decembr 16th 1777

General Orders

Majr Genl for to morrow DeKalb, Brigadier Nernom, Field Officers Col. Brook Majr Gitmore Brigade Majr McGowen: In an order the supplies of Clothing Imported by the Honble the Congress, they have earnestly recommended to the several States to exert their utmost indeavours to procure all kind of Cloathing for the Comfortable Subsistance of the Officers & Soldiers of their respective Battalions, & to appoint one or more persons to dispose of Such Articles to Officers &

Soldiers at Such reasonable prices as Shall be best by the Clothier Genl or his Deputy & be in just proportion to the Wages of the Officers & Soldiers, Charging the Supplies of the Costs to the United States Congress have also resolved that all Cloathing hereafter to be Supplied to the Officers & Soldiers of the Contenental Army out of the Publick Stores of the United States, Beyond the Bounties already granted shall be charged at the like prices, the supplies to be refunded by the United States. The tents to be Carried to the Encampment of the troops & pitched immediately.

Head Qrtrs Gulph Decembr 17th 1777

General Orders

Majr Genl for tomorrow Sullivan, Brigadier Huntington, Field Officers Col. Chambers Col. Carleton, Brigadier Majr Day. The Commander in Chief with the highest Satisfaction expresses his thanks to the Officers & Soldiers for the Fortitude & patience which they stand the fatigue of the Campaign, although in some instances we have unfortunately failed, yet upon the whole Heaven has Smiled upon our Arms & Crown'd them with Signal Success, & we may upon the best ground conclude that by a Spirited Continuance of the means Necessary for our Defence, we shall finally gain the end of the Warfare Independent Liberty & peace, these are blessings worth Contending for at every Hazard, but we Hazard nothing to power of America alone, duely exerted would have nothing to fear from the force of Great Brittan, yet we Stand not alone on our own Ground, France yields us every aid we ask & there reasons to believe the period is not verry far distant when she will take A more Active part by declaring War against the British Crown, every motive therefore immediately

obliges may command us to affirm a manly perseverence in our opposition to our Cruel oppressors to slight difficulties indure hardships & contemn every danger. The Genl ardently wishes it was in his power to conduct the troops into the best Winter Quarters but Where are they to be found Should we retire into the Interior parts of the States we Should find them Crowded with Virtious Citizens who Sacrifised their all left Philada & fled there for protection to their Distress humanity forbids us not to add; this is not all, we Should have vast extent of fertile Country to be Spoiled & ravaged by the Enemy, from which they would draw large supplies, & where many of our friends would be exposed to all the miseries of insulting & wanton depredations, a train of evils might be enumerated but these will Suffice, the Consideration will make it, indispensably necessary for the Army to take Such position as will enable most effectually to prevent distress & to give the most extensive security, & an inposition we must make our Selves the Best Shelter in our power with Activity & diligence huts may be errected that may be warm & dry. In these the troops will be Compleat & more Secure against Surprise then if in Divided States and at hand to protect the Country these Cogent Reasons has determined the General to take post in the neighborhood of this Camp, & influenced by them he persuades himself, that the Officers, & Soldiers with one heart & with one mind will resolve to remount every difficulty with a fortitude & patience becoming their profession, & the Sacred cause in which they are engaged he himself will pertake of the hardships & likewise of every inconveniency. To morrow being the day set apart by the Honble Congress to publick Thanksgiving & praise, duty calls us devoutly to express our gratefull acknowledgments to God for the manifold Blessings he has granted us, the Genl directs that the Army remain in its pres-

ent Qrtrs that the Chaplains preform Divine Service & earnestly excites all Officers & Soldiers, whose absence is not indispensably necessary, to attend with reverence the Solemnity of the Day.

HEAD QRTRS Gulph Decr 18th 1777.

General Orders

Majr Genl for to morrow Green, Brigadier Smallwood, Field Officers Lt. Col. Carson Lt. Col. Sproat Brigade Majr Hitchcock. Persons having passes from Majr Jno. Clark are to pass all Guards the Commander in Chief approves the following Sentences of A Genl Court Martial held the 22nd Octbr last, where of Majr North was President Viz. Adjutant Walston of the 1st Pennsilva. Brigade charg'd with making a false return & Signing it, & with ungentelman like behavour, Disobedience of orders, & leaving his Arrest; by the Unanimous opinion of the Court was found guilty of making a False return, contrary to the first Article of the 5th Section of War & Sentenc'd to be Cashier'd, Jos. Cann Qr Mastr of ye 1st Pennsylva. Regt charg'd with disobedience of orders, & neglect of duty, & fraudulent Conduct was acquitted of the Charge of Fradulent Conduct, but found guilty of Disobedienc of orders & Neglect of Duty, & Sentenc'd to be discharged the Service—The Majr Genls & Officers Commanding Divisions are to appoint an Field Officer in & for each of their respective Brigades, to Superintend the Business of Hutting agreeable to the Directions they shall Receive, and in addition to these Command'g Officers of Regts is to appoint an officer of each Regt which Officer is to take his orders from the Field Officer of the Brigade he belongs to, who is to mark out the respective Spots, that every Hutt for Officers & Soldiers is to be plac'd,

as that uniform may be observ'd; an exact return of all Tools in the hands of every Regt is to be made immediately to the Qr.M. Genl who with the Adjt Genl is to see that they are to gether with those in Store duty Justly allow'd to Regimental Officers of the Work, Who are to keep an exact account of the mens names into whose hands they are Plac'd that they may be accountable for them, Superintendents and overseers will be exempted from all other duties & will moreover be allow'd for their trouble, the Col. or Commandts of Regts with their Capts are immediately to Cause their men to be divided into Squads of 12 men, & see that each Squad has their proportions of tools, & set about A hut for themselves, & as encouragment to industry & art the Genl promises to Reward the party in each Regt which furnishes their hutt in the Quickest & most workman like with 12 Dollars, and there is Reason to believe that boards for Covering may be found Scarse & difficult to be had, he Offers 100 Dollars to either Officer or Soldier who in the opinion of three Gentlemen he shall appoint, as Judges, shall Substitute Covering that may be Cheaper & Quicker made & will in every respect answer the end; Plan for the Construction of Hutts dimensions 14 by 16 Foot Sides Ends & Roof made of Logs, the Roof made light with Split Slabs, the Sides made tight with Clay; the fire places made of wood & Secured with Clay in the Inside 18 Inches thick, this fire place to be in the rear of the hutt, the door to be in the end next the Sreet —the door to be made of oak Split Slabs unless boards Can be procured, Side Walls 6½ feet high, the Officers Hutts to form a line in rear of the Whole; One hut to be allow'd each Genl Officer, one to the Staff of each Division, one to the Staff of each Brigade one to the Field of each Regt one to the Staff of each Regt, one for the Commsn'd Officers of two Companies, & one to every 12 men non Commiss'd Officers & Soldiers.

Saturday 20th Decmbr. This morning at 4 OClock our Division march'd under the Command of Brigadier Genl Smallwood to Dilworth town in Chester County being 25 Miles.

Dilworth Town Decr 20th 1777

Division Orders

The Commissaries to furnish one days provisions to the Division immediately, & to provide another days for tomorrow at Such place & time as will be pointed out to them in the morning, they will also provide Liquor for the troops, the alarm post to be in line of the Camp fires, the troops to march at 4 OClock precisely, 5th Maryland Regt. Such as are in uniform to Compose the advance Guard, follow'd by the Artillery & the Main body, the rear Guard to be taken from 4th May. Regt & D. R 50 men from each Regt 1 Capt. 2 Subs. Serjts & Corpls.

Monday 21st. March'd this morning to Wilmington Delaware State and there took up our Quarters (I hope for this Winter) being 12 miles.

Wilmington Delaware State Decmbr 21st 1777.

Division Orders by Genl Smallwood.

The Commissaries to Supply the troops with one days provision immdeiately, & one Gill of rum pr man, & provide Whiskey to serve one Gill pr man tomorrow morning and one days provision only, & to provide Stores of every kind Necessary in

their department without delay to support the troops in the most Comfortable manner, the forrage masters Likewise to provide Forrage for the present, & endeavour by every means in his power to lay in the Supplies Necessary, the Regimental Qr Masters are immdeiately to procure all the Pick Axes, Spades & Shovels in the town for fatigue duty; Picquett 2 C, 4 L, 8 S, 8 C, 100 P with Intrenching tools to parade at the Bridge properly Officer'd for fatigue duty, the Officers will prevent their men from Injuring or disturbing the Inhabitants Regimental Qr Masters to provide wood for the Barracks, A Field Officer from each Regt to report Such Houses as are proper for Barracks by 5 OClock.

Two Field Officers for Picquett to attend at 4 OClock.

MARCHES MADE BY THE DELAWARE REGT. THIS CAMPAIGN FROM MAY 17TH TO DECEMBR. 21ST, BEING THE TIME WE CAME INTO WINTER QUARTERS		Through what States	Number of Miles
1777 May			
17th & 18th.	From Philadelphia to Trenton	Jersey	30
19th.	From Trenton to Princetown	.....	12
June			
13th.	From Princetown to Rockey hill	.....	4
	From Rockey hill to Corryells Ferry on the Delaware River	.....	24
Dont know the Exact dates of these Marches	From Corryells ferry to Flemington	.....	18
	From Flemington to Sowerlands Mountain.	.....	10
	From Sowerland Mountain to Rocky Hill..	.....	8
	From Rocky hill to Brunswick	.....	12
	From Brunswick to Sampton	.....	6
	From Sampton to Lincoln Hill ...	.....	3
	From Lincoln hill to Morristown..	.....	18
	From Morristown to Pumpton	.....	12
	From Pumpton to Ramapaugh Clove Commanded by General Sullivan	New York	14
July			
14th & 15th.	From Ramapaugh Clove to New Windsor North River	.....	30
	From New Windsor to New borough, Higher up the river and opposite Fish kill landing	.....	3
16th.	From New Borough Cross'd the North River being two miles to Fish Kills Landing, then march'd to Fish kill Town which is 5 Miles from the Landing	.....	7

			Through what States	Number of Miles
July				
21st.	From Fishkill to Peekskill		.....	18
22d.	From Peekskill on the North Castle Road	Commanded by Brigadier General De	bore Genl Sullivan being Sick ...	5
23d.	From thence to Cortlands Mannor..		...	4
26.	From Cortlands Manor to Kings Ferry		...	14
27.	From Cross'd the North River to Haverstraw ferry & March'd one mile		...	2
28.	From thence to Cackyatt		...	9
29.	From thence to Perramus		Jersey	13
30.	From thence down the Psaic River 3 Miles below Acquackanack Bridge		.....	20
31.	From thence to Springfield		.....	13
Augst.				
1st.	From thence to Quible Town		.....	15
2nd.	From thence to Bond Brook		.....	8
3.	From Bond Brook to Vealtown		.....	15
4.	From Veal town to Hannover		.....	10
21st.	From Hannover to Elizabeth town Point...		.....	22
22.	From Elizabethtown point Cross'd the Rarington River on to Staten Island.....		.....	30
	Recrossed the River & came to Spanktown.			
23.	From Spank town to Springfield	Commanded by General Sullivan	.....	12
24.	From Springfield to Spicatua		.....	14
25.	From Spicatua Brunswick		.....	5
26.	From Brunswick to Princetown		.....	15
28.	From Princetown to Trenton		.....	12
29.	From Trenton Cross'd the river Delaware to Bristol		Pennsulv.	10
				477

		Through what States	Number of Miles
	Brought over		477
1777			
Augst.			
30th.	From Bristol to Philadelphia	Pennsulv.	20
31st.	From Philada Cross'd Schuylkill	.....	2
Septr.			
1st.	From Schuylkill to Chester	.....	15
2nd.	From Chester to Wilmington	Del. State	13
9th.	From thence to Chadds Ford	.....	10
11.	From Do to Chester	Pennsl.	15
12.	From Do to Schuylkill	.....	12
13.	From Do to Germantown	.....	8
14.	From Do to the Sign of the Buck on ye Lancheſter Road	.....	11
15.	From Do On the Same Road.....Do.....	.....	14
16.	From Do to Yellow Springs	.....	11
17.	From Do About 3 Miles beyond French Creek Bridge	.....	9
18.	From thence to Reading Furnace	.....	12
19.	From Do to Richardson's ford	.....	29
21.	From Do to the banks of the Schuylkill.....	.....	2
22.	From Do to Faulkners Swamp	.....	15
26.	From Do to Parkaoming Creek	.....	7
29.	From Do to the Skippack Road	.....	5
Octbr.			
2nd.	From Do 3 miles lower down S'd Road.....	.....	3
3.	From Do to Germantown	.....	13
4.	From Do Back to our last encampment.....	.....	13
5.	From Do Parkaoming Creek	.....	9
16.	From Do to the Skippack where we was encamp'd 3 days	.....	8

		Through what States	Number of Miles
Octbr.			
20.	From Do on Said Road within 15 Miles of Philada	.....	5
Novr.			
2nd.	From Do to White Marsh	.....	2
Decr.			
11.	From Do to Mattsons ford then to Swedes ford	.....	13
12.	From Do Cross'd Schuylkill to the Gulph Mill	.....	6
20.	From Do to Dilworths town	.....	25
21.	From Do to Wilmington to Winter Quarters Under the Command of Brigadr Genl Smallwood	.....	12
	Total....	.....	796

The Scouts & Marches made at Different times to the Enemies lines & Returning again are not included; this is only the different places we have Encamp'd in.

By Robt Kirkwood
Capt D. R

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE.

LX.

F 161
D 34
V. 4

THE LIFE

AND

PUBLIC SERVICES

OF

HON. ANTHONY HIGGINS

OF DELAWARE

BY

HON. JOHN C. HIGGINS

AND

GEN. JAMES H. WILSON

THE HISTORICAL SOCIETY OF DELAWARE,
WILMINGTON.
1913.

ANTHONY HIGGINS.

October 1, 1840—June 26, 1912.

By John C. Higgins.

Such a man as the late Anthony Higgins does not rise out of the ground. Known or unknown, there were springs of mind and character, near or remote, that went to make up his rich inheritance.

Fortunately his forebears in most lines have been well known people and may bear looking up.

Lawrence Higgins.

The American progenitor came from the Belfast district of Ireland. He was one of that large movement of the so-called "Scotch Irish"—many of whom were of English descent—nearly all of whom were Presbyterians—that at the date of the American Revolution comprised one-fourth of the population of Pennsylvania and one-sixth of the total of the colonies. Their number has been placed at 385,000. The English Government and Established Church had treated them badly, and their reply was a wholesale emigration to America. They had no love for church or King whose tender mercies had been so cruel—hence almost to a man were to be found on the Patriot side in the long war—and Washington had no more dependable soldiers than they.

"The sons and daughters of these vigorous Calvinists were leaders and builders in every State of the Union."

About the middle of the eighteenth century, Lawrence Higgins bought land in Red Lion Hundred. He married a Miss Wilson of the Welsh Tract settlers—her family quickly passing on to Virginia. Tradition credits her with a very strong character.

The two oldest of their children were sons, Jesse and Anthony. Jesse became one of the leading men of Delaware as a member of the Democratic or Jeffersonian party. He was an author, a Legislator, a public speaker, a promotor of public improvements.

His brother, Anthony, was a farmer, and a masterful character. He would say that he "never had a dream in which he did not come off conquerer." He took delight in reading and argumentation.

He entertained liberally, being of a social and hospitable nature. He was a keen fox hunter, mostly with his own hounds on his own land. He loved their music, and needed the horseback exercise; for he was a heavy man with a tendency to lay on more weight.

He had a voice of great power and sweetness; and the fame of his singing lingers. The late Anthony M. Higgins remembered some of his father's songs, and would sing them upon occasion—as would also his son Anthony, the subject of this sketch. They were such as Henry Fielding's:

"The dusky night rides down the sky
And ushers in the morn;
The hounds all join in jovial cry,
And the huntsman winds his horn."

Also:

"Come all ye hearts of tempered steel
And leave your girls and farms,
Your sports, your plays, your holidays,
And hie away to arms.

"No foreigner shall give us laws,
No British tyrant reign,
'Tis independence makes us free,
And freedom we'll maintain."

Of Lawrence Higgins, their father, a few things can be said. He was active in the Revolution and is mentioned in a letter from George Read to General Washington.

His name appears upon a protest against Rev. John Rogers being permitted by the New Castle Presbytery to leave the St. George's Church to go to the Wall Street Church of New York City.

Every head of family signed the paper, adding the number of his family. Lawrence Higgins spoke for "nine souls." The date was 1765.

His will is interesting. Among other items is a bequest of £100 for the education of John Read Higgins, his grandson, who was the son of Jesse Higgins and his first wife Elizabeth (Read) Higgins, who was the daughter of William Read, brother of George Read, the signer.

Elizabeth and her son died, and Jesse Higgins then married Mary Witherspoon, daughter of Thomas, who was nephew and heir of Colonel David Witherspoon, a founder of Middletown. A granddaughter of this second marriage became the wife of the late Thomas M. Rodney.

Anthony Higgins, brother of Jesse, married Martha Witherspoon, a case of brothers marrying sisters.

The wife of Thomas Witherspoon, was Susanna Bouchelle, daughter of Doctor Sluyter Bouchelle, a grandson of Lège de Bouchelle, a Huguenot, who, with his son, Dr. Petrus Bouchelle, the father of Dr. Sluyter Bouchelle had got possession of a substantial part of the Labadie Tract of Bohemia Manor.

The wife of Dr. Sluyter Bouchelle was Mary Ann Bayard, who was the daughter of Samuel Bayard, who was the son of Peter Bayard, who was one of the three sons of Anna Stuyvesant Bayard, sister of Governor Peter Stuyvesant, who, with their mother, accompanied the Governor when he first reached New York City, in 1647.

Anthony M. Higgins.

Of the family born to Anthony Higgins and Martha Witherspoon, but one, a son, the late Anthony M. Higgins, had children.

His wife was Sarah Clark Corbit, and they were the parents of the subject of this paper.

Mr. Higgins was a graduate of Jefferson College, Canonsburg, Pa., then under the presidency of the distinguished educator, Rev. Matthew Brown, D. D. The late Dr. Lewis P. Bush was a classmate, and an affectionate friend of Mr. Higgins and his family.

Deciding upon a country life, which both of them preferred, Mr. and Mrs. Higgins bought "Linden Hill," bordering on the town of St. Georges and in 1836 erected the substantial brick residence in which their family of six children was reared.

His father's estate, meanwhile, was left in possession of his brothers, John and Thomas—falling to him at their decease.

Anthony, the Senator, was the third son, a second son having died in infancy.

His mother was the oldest of two children—daughters of Pennell Corbit, oldest brother of the late Daniel Corbit, and Mary Clark Corbit.

The latter was the only child of Governor John Clark and Sarah (Cook) Clark. Sarah Cook was a daughter of Governor John Cook, whose first cousin was Governor Thomas Collins—whose mother was a Cook.

Governor John Clark was the son of Captain William Clark, of whom Rev. George Foot tells as having done good work at the Battle of Monmouth.

Anthony's mother, Sarah Clark (Corbit) Higgins, had a superior mind, cultivated in the best schools attainable.

She was a woman of dignity and elevation of character, of great personal magnetism, charming in conversation—and a devoted wife and mother.

The Corbits and Pennells.

For 200 years the Corbits have lived in Delaware, and have well illustrated the characteristics of the followers of George Fox. In the second generation they had intermarried with the Brintons, of Chester County. In the third with the Pennells, the Fishers, the Cowgills, and the Leas, in the fourth with the Clarks.

Mrs. Higgins's father, Pennell Corbit, was the only son of his father, William Corbit by Mary Pennell, his first wife. The Pennell ancestor is said to have come to America with William Penn on his second voyage.

They also were "Friends"—who long lived near Chester, Pa.

The late Rev. Pennell Coombe and Joseph Pennell, the artist, may also be named as descendants.

Truly the foregoing would seem to meet every definition of the term "composite American." Here are Scotch Irish, Scotch, English, Welsh, French and Dutch.

The Linden Hill Higgins Family.

The name seems to have signified family unity.

Jesse Higgins's will provides that "my affectionate brother Anthony shall be my sole executor."

So it was with Anthony M. Higgins, his brothers and his sister.

So also with the Linden Hill family.

The children grew up with but few intimacies outside its related families, yet there were some most valued ones.

The spirit of family unity also belonged to the Corbit side—the visitors from which exercised a marked influence upon the growing children. Visits to Cantwell's Bridge (now Odessa) and Smyrna were not infrequent and were stimulating.

Linden Hill was a full house—guests coming and going—sisters and cousins skilful on the piano and gifted in song.

While time was given to school studies, the domestic atmosphere was marked by reading and general conversation. Much of the latter upon political subjects.

Mr. Thomas M. Rodney was living at Damascus and visited his friend, John M. Clayton, at least once a week; and next day would drop in at mail time and tell what Mr. Clayton had said about national politics. The *National Intelligencer* gave the speeches of the giant statesmen of those days and they were

eagerly read. The Hon. Presley Spruance sent all of the interesting congressional publications—and occasionally their father would take a couple of the boys when he called at Buena Vista. Once indeed, on a great day when Henry Clay was there, they saw him acclaimed by a very large company—hundreds who had gladly come to meet their beloved national leader.

The two boys were in the room when Mr. Clayton entertained perhaps twenty at dinner; and never forgot the laughter provoked by Mr. Clay's after-dinner humor.

In those days New Castle County was the great farming and fruit region of Delaware.

Clover, lime and marl were making the land rich, and Red Lion Hundred farmers were noted throughout the country.

To the day of his death Anthony Higgins was an enthusiastic farmer. He conducted several farms, with the best results—but his chief joy was in his own "Mansion" farm which he looked after in close detail.

His mind was full of rotations, clovers, cowpeas and all modern suggestions of the Agricultural Experiment Stations, and the methods of successful practical farmers.

Schools.

Anthony's first teacher was probably Mr. Eli S. Kulp, who came from the Susquehanna Region of Pennsylvania to the St. Georges public school, of which Mr. Higgins was an ardent patron.

Mr. Kulp was able, thorough, skilful, and his pupil was well taught. He led the choir of the Presbyterian Church of St. Georges with voice and bassviol and taught music once a week in the school.

Most unfortunately for the community he died during a cholera epidemic in 1849. After two years at a private school in Delaware City and one at the Newark Academy, Anthony entered Delaware College in the scientific department.

Delaware College.

When Anthony came in contact with Prof. Talleyrand Grover, he met an influence that changed the proposed current of his life.

Prof. Grover was a graduate of Bowdoin College. His brother, General Lafayette Grover, was a graduate of West Point, and one of the regular army officers in 1860.

Prof. Grover not only advised Anthony to take the full arts course, but became his tutor. Meantime misfortune had overtaken the College and its doors were about to close. Through the influence of Dr. E. L. Duer, Yale College was chosen, and young Higgins entered the Sophomore Class of 1861, without conditions.

There were many good men in the Delaware College faculty—one of whom, Dr. Kirkwood, was the most distinguished mathematician in Astronomical work that America has produced.

He demonstrated "Kirkwood's Law," and thus became "the Kepler of America," as he was styled by the English astronomer, Proctor.

One good that belongs to the local college is that the students are mostly from its own State.

During his career of political activity, Delaware College friends were stanch for Higgins. He had their interest and sympathy even when they were not of his party.

Yale College.

On entering Yale, Higgins's first strong friendships were not with men of his own Class of '61, but rather with two or three men of the Class of '62. One of these became a Secretary of the Treasury at Washington. On a humorous occasion Higgins was assigned the subject of "Great Men in the Lower Classes," in allusion to these associates.

He had election to the usual college societies, took a prize in composition and became a "Skull and Bones" man—the highest ambition of Yale students.

On graduating he had the honor of an oration.

One of his cousins met a Yale-wise person during Higgins's first year, and was told that he was one of the most prominent men of his class. This was probably the first outside word that reached Linden Hill.

Yale afterward conferred upon him the degree of LL.D.

He rarely missed Yale Commencements and was ever one of their honored guests. Skull-and-Bones men have a Summer club on an island in the St. Lawrence where he had gone of late and expected to go last Summer.

Veneration, pride, loyalty and love marked his attitude toward Yale.

Harvard.

His life at the Harvard Law School followed—being a post graduate course in association with selected men of distinction from many colleges, and all sections of the country—some of them his old Yale companions. His Harvard experience was a delight throughout; and, withal, was broadening and stimulating aside from its specific value to a law student.

Admission and Practice.

And now having passed through the years of preparation and served his legal term with his preceptor William C. Spruance, Esq., Higgins was admitted to the Bar of New Castle County. He took a modest office on Market Street, Wilmington, and waited for clients. No doubt they were few at first—but time brought them.

He soon became Deputy State's Attorney under Attorney General Jacob Moore, and took a full share in the prosecution of offenders.

One day at the New Castle Court he was bantered by Edward G. Bradford, the elder, to walk to Wilmington, which was gladly acceded to.

Mr. Bradford had "something in his mind," which was disclosed in the form of a proposal that Higgins should become his law partner.

It was accepted, and thus began one of the happiest associations of their respective lives. It was an active business, and lasted until Mr. Bradford became Judge of the United States District Court.

Mutual regard and affection came naturally; for they were much alike in tastes, principles, ideals and aspirations.

Than Judge Bradford, few men in Delaware could better hold an audience or jury in political or forensic speech.

He was a strong lawyer. No man ever had keener interest in politics, State or National; or a clearer political vision.

He was in full sympathy with the Republican Party—in fact was one of those who had voted for Fremont in 1856.

He probably encouraged Higgins to become active in politics; certainly he was always his sympathizing supporter.

Republicans were in a discouraged condition.

The Democrats were easily in supreme control of Delaware. The incumbents of its offices had methods for increasing their party vote and of decreasing the vote of the Republicans.

While the courts were accessible to all and far above reproach, the jury panels were almost exclusively from the Democrats.

To the average mind there seemed neither hope nor prospect of a change when Anthony Higgins began to take a modest part in politics. Gifted speakers were, as usual, ready to be heard; but their efforts ended when they left the platform.

He, however, began to promote a system of ward and hundred party organization. He called the influential Republicans into council. The work of listing the voters was placed in willing hands; and arrangements were made for the qualification of the party vote. This work went forward; and election after election saw the party gains to be so obvious, that hope was soon succeeded by the expectation of success.

At last it came—first in one county and then in another—until a day when the nation was surprised by the word that Delaware had gone Republican.

It had come after twenty years of effort.

Senator.

And now, when a Delaware Legislature had a Republican Senator to elect, the question was, who is the man?

Candidates were numerous, and the struggle was a sharp one, but it ended in the election of Anthony Higgins, on the sixteenth day of January, 1889.

He built a house in Washington near DuPont Circle, and, with his niece, entertained hospitably for six years.

From his entrance upon senatorial duties he took his part in the business of the day—more fully so, as his distinguished colleague has said, than was usual in the early part of the first term of a Senator. He gave from time to time exhaustive speeches upon well-chosen subjects which held the attention of the Senate and the galleries.

His friends numbered the roll call of the Senate—his special companions were the first men of that body—in statesmanship and national influence. It cannot be denied that he fully met the expectations, the ideals and the favor of the people of Delaware; and if Senators had then been elected by direct vote he would have probably won "hands down." For well-known reasons, when his term expired, no Senator was elected, and his seat remained vacant for two years.

A Lawyer.

Mr. Higgins was United States District Attorney from 1869 to 1876, a period of seven years.

Loose practices had grown up in the Internal Revenue offices, and he prosecuted the offenders to conviction.

These were the first of their kind, and the sensation of the hour.

His activities, however, were not all as prosecutor.

The Bank Burglar case was one that attracted excited attention.

Four burglars rushed into the opened door of the residential part of the Bank of Delaware, at Wilmington, and imposed silence upon Mr. Floyd, his wife and niece. "Big Frank" was left to guard them while the other three proceeded

with their work. The attention of the guard being for a moment distracted, the niece saw her opportunity—courageously sprang to the door and reached the street. The burglars ran; and the next morning were traced—by their discarded utensils, gags, &c., thrown into yards and alleys as they ran—to a house near Tenth and Walnut Streets, where they were arrested. John O'Byrne, Esq., was employed to defend three of them.

A sister of the fourth employed Mr. Higgins to defend him.

New Castle probably never had a more sensational trial.

The late Chief Justice Lore, then State's Attorney, prosecuted very ably. The four well dressed, fine looking men in the dock would not have looked out of place at a directors' meeting of the bank they tried to rob.

They had a fair trial, were convicted, whipped and imprisoned for years.

To many, this trial was principally interesting as showing what can be said in the legal defense of men "caught in the act."

Higgins's man told him, while the jury was out, that after hearing his speech, he knew he was not guilty.

The "Neal Case" was, if possible, even more sensational. A negro of that name was charged with assaulting a white woman.

Higgins undertook his defense upon request of Chief Justice Comegeys, and soon learned facts that convinced him that the man should not be found guilty. A political campaign was then on and anti-negro prejudice was on one side its strongest weapon.

Probably no man on that jury dared to give other than a verdict of guilty. There was nothing fair in a trial held under

these circumstances; and Mr. Higgins, appealing to the United States Supreme Court, procured a new trial.

This time, with no political excitement—and a special jury of prominent men of both political parties—Neal was found "not guilty."

The late Levi C. Bird is said to have declared that Higgins's speech to the jury at the second Neal trial was the most eloquent he ever heard. Being himself a past-master of eloquence, would seem to make Mr. Bird a competent judge. The minutes of the New Castle County Bar Association of June 29th, 1912, declare that Mr. Higgins "was for forty-eight years a member of the Bar and in the practice of law, was a devoted and dauntless advocate and a wise and learned counsellor."

Recreations.

Mr. Higgins played golf when it was first introduced in the State, but gave it up when it became an established game.

But from early youth he availed himself of the privileges that belong to land ownership, and became an excellent shot and sportsman.

The Higgins land lies upon the Dragon and St. Georges Creeks to an extent of nearly four miles, and in the earlier days game, in season, was always to be found. Partridges, woodcock, snipe, rail and reed birds, rewarded a day's hunt in varying fortune and pursuit.

Anthony in middle life went to Sussex County for partridges, or to North Carolina. He several times went with friends to shoot prairie chickens. He had several highly trained thoroughbred English setters from first to last and delighted in their work.

He had a talent for breeding animals, and remembered pedigrees with astonishing accuracy, both as to setters and his herd of Guernsey cattle.

Not a few of his vacations were devoted to visits abroad, which, however, never extended further than Great Britain and Western Europe.

Two memorable visits were made to Scotland, where he saw something of its social life. While Senator he attended a garden party at Buckingham Palace, and saw the elite of British life.

He had a delightful relation with the family of a landed proprietor in Lincolnshire, extending to a correspondence kept up for, perhaps, twenty years. On one of his visits he procured from Mr. Llewellin the young setter "Lincoln," which afterwards became noted throughout the States. His blood is still highly prized among the setter breeders of the West and South. Lincoln met his death as follows: He was standing, or pointing, a covey of birds on a railroad track, was struck by an engine, thrown perhaps forty feet, and died soon afterwards. Mr. Higgins owned Lincoln but a short time, having sold him for $500 to a gentleman in Louisville, Kentucky.

One of the most delightful experiences of his life was a trip to Mexico in company with General James H. Wilson and the late Charles A. Dana. On his election to the Senate Joseph Wharton gave a reception in his honor at the Philadelphia Union League. The great numbers attending it showed the pleasure they had in welcoming Delaware into the list of protectionist States; their personal regard for Anthony Higgins; and also how royally, upon occasion, a large manufacturer-publicist can entertain.

His Last Days.

Mr. Higgins's Senatorial term began March 4th, 1889, and ended in 1895, from which time until the end he held no public office.

He greatly enjoyed the life in Washington, and to give it up must have been a sore trial at first—but no one ever heard him in any way repine, lament or complain.

His life had been one of warfare, and as a soldier he accepted what came to him.

More than ever his heart went out to his family, to whom he had been the devoted son, brother, uncle; and to the many friends who sought counsel and leading where they had so long found it.

His farms and cattle became his constant entertainment; and he was often at the meetings of the Guernsey Cattle Breeders' clubs and associations; as also of those of the Deep Waterways Association, in which he took peculiar interest.

With a mind clear and comprehensive; with keenest interest in all that was going on in the daily history of the world, and especially of his own country; without enmity to any human being—he knowingly approached his end and fell asleep with a smile upon his lips.

HIS PUBLIC LIFE.

By General James H. Wilson.

Anthony Higgins from his earliest manhood was an ardent Unionist and Republican, and as such took an active part in all the discussions and political campaigns of the day. In the Summer of 1864, he enlisted in Company B of the 7th Regiment of Delaware militia, and when the communications with Baltimore and Washington were threatened by Confederate raiders, he donned his uniform, shouldered his musket and went forth with his regiment to guard the bridges and keep open the railroads to the National Capital. The furthest limit of their operations was the Baltimore Central R. R., but so far as history records, they never saw the enemy nor fired a hostile shot. It is certain that Higgins thoroughly liked the service, slept comfortably on the ground, relished the soldier's rations, and came to enjoy what he gaily designated as "the luxury of dirt." He frankly confessed that he was not naturally a military man, that he felt no vocation for long service in the volunteers nor for actual campaigning, and was therefore content with an inconspicuous part in the Home Guards, whenever they might be called out. He was enrolled July 11th, and honorably discharged August 12th, 1864.

It would do him injustice, however, to suppose that he was indifferent to the outcome of the struggle. By nature he was opposed to human slavery, and while he recog-

nized the constitutional rights of the slave States, and regarded their people as the victims of a vicious system which they had inherited from their forefathers he was in favor of confining the institution of slavery to the narrowest limits and of giving it nothing but what it was entitled to under the strictest construction of the laws. He was from the start opposed to the Dred Scott decision, and in favor of confirming slavery within the States which had adopted it in strict compliance with the Constitution. He was essentially a free soiler and a Republican from the start, and remained so, throughout the War of Secession, and the stormy period which followed it. While he is not known to have advocated unlimited suffrage for either whites or blacks but is credited with having favored an intelligence qualification from the start, he heartily accepted the amendments of the Constitution as they came from Congress, and were finally adopted by the States. He was at no time a blind believer in universal suffrage, but if left to his choice, he would have gladly seen an intelligence qualification prescribed impartially for all classes of citizens. In his own State, however, he heartily recognized that the payment of a poll tax as a qualification for the electorate, especially where its levy and collection were left in partisan hands, was a requirement to be got rid of at the earliest possible date. To this end, as well as to the removal of all other disqualifications imposed upon colored citizens and voters as such, he bent all his energies not only before the people, but before the Legislature, as well as before both State and United States Courts.

It was in the bold and uncompromising advocacy of this policy as involved in a celebrated case, that he first attracted public notice beyond the limits of the State as well as within them.

As a Skull and Bones man at Yale, he had acquired distinction as a speaker and orator while still a college student. Endowed with a mellifluous voice, a retentive memory, a fine taste for real poetry and eloquence, and a commanding figure, he soon acquired a reputation beyond his years as an advocate and public speaker.

As United States Attorney during Grant's administration, he took an active and successful part in the prosecution of frauds against the Treasury and extended his reputation both at home and in the neighboring States. That he early became noted as a sound and industrious lawyer in all ordinary branches of the profession, is abundantly evident from the unvarying testimony of his brethren at the bar. His fame as an orator grew apace. With an omniverous taste for the classics, and the best literature of the day, whether in history, romance, belles-lettres or jurisprudence, he was always a delightful and interesting conversationalist and a general favorite with intelligent people of all classes and all parties. With a cheerful and genial temper, and a mind free from base and ignoble prejudices, he was everywhere hailed as friend and favorite. While an impassioned advocate for the weak and downtrodden of all races and all classes, he harbored no animosities against those who differed with or opposed him. Learned in the law and its precedents, untiring in the study and preparation of his cases he won more than his fair share of those in which he appeared. Moderate in his charges, modest in his manner of life and never failing in his respect for those in authority over him, he had for forty years the confidence of the courts and the bar, as well as the love of his clients. On this basis the whole of his professional life was a success, and, while his

earnings were not what would be called large in the greater cities, they were ample to provide for every requirement of old age, but for an unfortunate investment into which he was led by those who sought his advice. In this instance it should be remembered, however, that he acted with scrupulous honor, denying himself the innocent pleasures and superfluous comforts of advancing years, while making good the losses of those, who, relying upon his judgment, had followed his example and invested in the same adventure.

But this is not all that should be said in his praise. In the crisis of his political and business life when his needs were greatest and large fees would have been more useful than ever, he had the nerve and the strength of character to decline a retainer of $5000 ostensibly offered for legitimate professional services, by a notorious aspirant for public honors and to order the tempter from his office.

The whole of Higgins's professional life was diversified by an active participation in local and State politics, and in the effort to break the almost immemorial control by the Democratic Party of the State Legislature, the local offices and the representation in both branches of Congress. In this work he became an adept and a leader. He knew the text and history of every law on the statute books, as well as the practice of both parties in the conduct of the elections. He knew also every leading man in both parties, in every hundred, town and county, throughout the State. His knowedge of the extent and location of every voting district, and of the number of qualified voters and also of the party majorities in each, was as precise as that of a political almanac. And what is more remarkable is the fact that he carried this knowledge in his head ready for use wherever

he went. Like Caesar with his legionaries, he could call the name of his own followers and their opponents wherever he met them, but, curiously enough, he was much more deeply interested in Delaware and Delaware politics than in those of the country at large. With the genius of a true leader, he was often heard to declare that his sole purpose was to redeem Delaware from her thralldom, if it took him all his lifetime. While he was a national Republican truly devoted to the policy and platforms of his party, he never sought to spread himself out over the neighboring States, nor to acquire fame as a party orator beyond his local field of action. He was frequently heard to declare that the other States were big enough and rich enough to take care of themselves, but that Delaware was both small and poor, and should have the full and undivided help of such time and talents as might be at his disposal. And this was the unbroken rule of his life.

With all his activity and devotion to the interests and cause of his party, and with his wide and accurate knowledge of its men and measures, it cannot be justly claimed that he was an entirely successful politician. Largely through his legal and political efforts and the courage and persistency with which he directed them, the negroes were finally permitted to vote, the exacting and excessive personal tax, together with the necessity for the use of money for the qualification of the voter were removed, and as a consequence, aided by the differences between the Democratic leaders, the Legislature and government of the State passed into the control of the Republican party. By party consent Higgins was acknowledged as the one to whom the principal honor and reward should be assigned. While there were other able and ambitious

county leaders who also claimed State leadership as well as the spoils of victory, it soon became evident that the majority of the party, both in and out of the State, were in favor of Higgins above all others, and accordingly he was elected as the first Republican Senator, not only from Delaware, but from the entire Southern States. This election took place on January 16th, 1889, and was hailed throughout the Northern States as an assurance of an equal and indestructible Union. Higgins took his seat in the Senate at Washington on the 4th of March of that year.

In accordance with the usage of the times the Presidential appointments within the State were made in compliance with the new Senator's nomination. In other words, the patronage was his, and holding honestly with General Jackson that "to the victors belong the spoils," he proceeded to assign the federal offices throughout the State to the local leaders who had given him the most ungrudging and efficient help, instead of the abler and more trustworthy men who regarded public office as a public trust. And what made this action more unfortunate was the fact that he did this entirely on his own judgment, without in any way consulting the chairman or the responsible members of the State Central Committee, or even the most liberal contributors to the party funds. In every case he selected the leading boss, great or small, who was "out for office," and who made him believe that he had done the effective work which carried his district and gave the victory to his party. It is needless to add, that when the pinch came six years later, through the shameless efforts of an outside spoilsman and adventurer to buy a seat in the United States Senate, nearly all of the Senator's apointees deserted his cause, repudiated his

claims and finally did their best to secure the seat, to which, according to all the rules of honest party procedure, he was justly entitled, for the man he had so vehemently denounced a few weeks before at St. Louis to the National Committee of his party, as a "moral idiot."

No one more fully recognized this mistake when it was all over, than Higgins himself, for while his party had divided, and neither section had secured enough members of the Legislature to elect its candidate by a clear majority, the seat which should have been his own, therefore, remained vacant for two years, although he did his best to induce the United States Senate to seat Colonel duPont, to whom he had turned over his own votes. But in this he also failed. The period which followed gave him ample time to draw the correct moral lesson from his full experience, in regard to the proper qualifications for public office.

This episode in the history of Delaware is the theme of one of the most interesting chapters of American politics. It was gathered by a personal investigation, and given in detail by George Kennan in *The Outlook* for the same year under the title of "Holding up a State." It has been collected into a pamphlet of surpassing interest, and need not, therefore, be repeated here, but it contains an irrefutable array of facts which go far towards showing the extreme danger of the recent change in the Federal Constitution, providing for the choice of United States Senators by popular vote. It is now known from the actual returns of the election in question that with the same amount expended for votes to be cast directly for Senator, that were actually bought and cast for members of the Legislature in the two lower counties would have resulted beyond peradventure in

the election of one to the United States Senate who was publicly denounced and published far and wide a few weeks later as utterly unfit. While it is conceivable that proper legal safeguards may be thrown about the new system to ensure honest elections, it opens up new conditions which will require new remedies, to protect the State and the country at large from dishonest and unscrupulous candidates. Fortunately the Senate is the sole judge of the election and qualifications of its own members, and as it is made of representatives from every State in the Union, the task of keeping it free from those who would buy their seats belongs to the whole country instead of to the individual State alone.

While Higgins was opposed to the change, and strongly in favor of adhering to the plan of electing United States Senators under the provisions of the original constitution, and of the Federal laws enacted thereunder, he wasted no time in trying to defeat the measure which has recently become the law of the land.

To give the details of the part played by the subject of this sketch, from year to year, throughout life, in the ebb and flow of political discussion, as shown by clippings from the daily press of the State, would be a tiresome and useless task, and no matter how well done it might be, it would constitute at best a study in State politics which but few would read and none remember. Fortunately the American people are the pioneers of self-government, by selected representatives, and for over a century have carried it safely forward by the unconscious processes of evolution, and not by the violent ones of revolution. In the main, the people have everywhere been divided into two parties, both of which have more or less truly kept constantly in view the public good,

and while both have made mistakes, none of them has been so great as to turn back the wheels of progress or to seriously derange the orderly advance towards that ideal government, the foundation of which, according to the philosophers, is: That every person shall enjoy in peace the just returns of his own labor and his own capital.

These were the familiar and fundamental views of Mr. Higgins, and while he was an ardent politician who thoroughly believed in the soundness of his own conclusions and of his own measures, he made it the rule of his life to accept both defeat and victory with loyal resignation to the will of the people. Indeed, in his later days, he called himself a progressive, but there are the best of reasons for believing that, even in that, his principal aim, was to give the people a chance to correct the errors of the past, and to adopt policies for the future which would carry them and their country forward to a more perfect solidarity, as well as to greater happiness and prosperity, without endangering their system of representative government, or the equality of all before the law, and this, without regard to race, color or previous condition of servitude.

While he had read most of the great books of the past, and was familiar with the philosophy of both ancient and modern thinkers, he was no dreamer and no visionary, but a practical statesman of remarkable independence and ability, who really loved his fellow-men and at all times and under all circumstances did his best to promote the advancement and happiness of his country.

That this was the rule of his life is shown not only by his daily walk and practice, but by the speeches he made before the people during his political life, as well as by the votes he

cast and the many speeches he made in the United States Senate during the six formative years from 1889 to 1895, which he passed in that distinguished body.

Although one of the younger men, and more or less restrained by the conservative customs of the chamber, he was received and acknowledged by both sides from the first with every mark of respect and consideration. Many of the great lawyers of the Senate knew him as an able member of their profession; others had heard of him as a brilliant speaker, and the rest, as a good fellow, who was a trustworthy supporter of his party and an honorable opponent of those arrayed against it. From the first he was looked upon as in the house of his political friends, ready and proud to make himself useful to them and to their common government.

While slavery was never a prominent factor in the welfare of his State, it is true that during much of Higgins's professional life there were cases at bar which involved race questions and partisan politics in Delaware as in the other border States, and of course a lawyer of Higgins's standing and of his political faith, was prominent in them. His course was severely criticised from time to time, both privately and in the local newspapers, but he defended himself with spirit and courage whenever it seemed necessary, and in due course the excitement died out. Under the softening influences of time and the slow but certain evolution of a wiser and more charitable feeling which is one of the chief features of American civilization, the acrimony of discussions disappeared long before he reached the end of his career, and he came to be regarded with greater and greater pride by his own party, and with appreciation by his opponents of all grades, and especially by their leaders.

His services as United States Attorney during Grant's administration were, however, more important in a personal than in a professional sense, as they brought him in contact with leading people beyond the State, widening his acquaintance as well as strengthening his confidence in himself, and thus preparing him better for the leadership of his party, and for the broader Senatorial work that it brought him a few years later.

No one can study the career of Senator Higgins without perceiving that he gave his time and attention faithfully from the start to the performance of his new duties. He made haste to build and equip a commodious but modest residence in Washington, and to furnish it with the proper facilities, in and from which to perform his public duties with dignity and effect. But in doing this it must not be overlooked that he kept closely in touch with home affairs, and that several of his most notable addresses were delivered in Wilmington on the subject of local affairs and State politics, after he came to be a Senator. Nobody could keep himself more fully informed as to the details of party management or of local and State administration. He was an adept in all such matters, and possessed of a never failing memory, he was not only a close reasoner, but an interesting speaker whenever he took part in the public meetings and discussions.

And considering himself as in a measure the guardian of home interests, he was always ready to respond to home calls. No Senator had a higher sense of duty in this respect, and no one was more untiring or more unselfish in responding to it. Temperate, industrious, and a close student of passing events, he was always a fluent and interesting speaker, and always had large and attentive audiences. It is not always the fate of

popular orators, "listening Senates to command," but in this he was fortunate from the first.

With apparent unconsciousness of what tradition required of new Senators, Higgins lost but little time in beginning to take part in the Senate's daily debates. On March 10, 1890, he delivered a speech on "National Aid to Common Schools" in which he contrasted the customs of the Northern States with those of the Southern, pointing out that it had not only been a crime to educate the black man, but that the influence of slavery went beyond that, and prevented the establishment of a system of common school education for the poor whites, and that even at a quarter of a century after the end of the war for the Union the two sections were living in different moral atmospheres, and could not become homogeneous, nor adopt the same liberal and progressive customs till the South should turn its back upon the past and its face towards a new future. He pointed out how the war had naturally ended in the abolition of slavery, and that the abolition of slavery was closely followed by giving the negro the franchise and suffrage. While he did not take up the question of limiting the right of voting by the imposition of a property or an intelligence qualification, he accepted the situation as he found it, and declared that from that time forth "The South, as well as the North, was committed to the task and duty of educating all its citizens." He pointed out the ignorance and illiteracy revealed by the census throughout the South, and urged in terms of impassioned eloquence, with candor and absolute fairness, the necessity of national measures to remedy the distressing condition of affairs, banish illiteracy, and spread throughout the land the love of learning and of real progress. His appeal was in no sense partisan or sectional, but it was

directed to both sections and to every State, as well as to every Senator. It was supported by a wide range of facts and figures illustrating every aspect of the case, and commanded the closest attention of such great and influential Senators as Spooner, Ingalls, Hoar, Edmunds and Evarts, who paid strict attention to what he said, and naturally treated him thenceforth as one of their number. It was an unusual triumph, and while it was without immediate results, it is gratifying to note that the young Senator lived to see a far more liberal policy adopted, both by the States and the United States, than was then urged upon their attention. Colleges, industrial institutes and common schools for both races have been established in every Southern State, and while it cannot be claimed that nothing remains to be done, it is safe to say that a general and genuine movement in behalf of social and economic uplift is now in progress throughout the nation.

On August 14, 1890, Mr. Higgins addressed the Senate on the subject of protection and the "True Cause of Agricultural Depression." A practical farmer himself, he claimed that the agricultural interest which consumed a large percentage of imported and dutiable articles was entitled to such a readjustment of the duties on them as would fairly distribute the burthens between all classes of consumers. The tin plate industry had not yet been developed in this country, but in the debate which followed between himself and Senator Edmunds, the facts and figures, as well as the industrial and economic considerations involved, were so fully set forth and were discussed with such a wealth of learning and such fullness of detail as to settle the question of policy for good and all, to fully establish the industry and emancipate the entire country in a few years from the exaction of foreign manufacturers.

The Senator's treatment of the subject of the widespread agricultural depression was no less thorough than his discussion of the tinplate industry. It showed an extended familiarity with the conditions prevailing not only in the United States but in Canada and the Northwest, and gave, from the surest and best sources the statistical history of the development of our agricultural interests, and especially those of wheat growing throughout the Western country for the last quarter of a century, as well as in Great Britain, Russia and Siberia. It recalled the remarkable results of our homesteading policy upon the growth of the nation, and generally showed a comprehensive and statesmanlike grasp of the agronomic principles and the details of the world's agriculture which was as much of a surprise to the Senate as it was to his people at home.

It was in October of the same year that Senator Higgins, in the flush of his growing senatorial fame, addressed an overcrowded meeting of his fellow-citizens in the Wilmington Opera House. It was in the nature of an ovation, at which the leading men of the State, including judges, lawyers, clergy, manufacturers and farmers, as well as the general public, attended. The principal subject of the Senator's address was local taxation and the Democratic administration of the election laws, and while it is difficult to understand how anyone could hold a mixed audience of men and women on such topics, one cannot read the newspaper reports of the speech and of the enthusiasm of the listeners, without perceiving that the orator must have been both interesting and eloquent. In this field of public interest the excitement has long since died out, and most of the changes advocated have been more or less fully adopted and carried into effect, and hence no further refer-

ence to the arguments used is necessary for the people of this day. To the antiquarian student of the remote future interested in the slow processes of political evolution this speech will fully illustrate how the scholarly Senator viewed and treated the local questions of his time.

Later in the year, on the re-assembling of the Senate, Mr. Higgins delivered, December 22, 1890, an elaborate and carefully prepared speech on the "United States Election Laws," and in support of their amendment and more efficient enforcement. It was mainly for the purpose of providing for a more impartial and non-partisan acquiescence in the right of every citizen to vote at national elections without reference "to race, color or previous condition of servitude." The Democrats generally treated the question as one for the sole determination of the individual States, and while Mr. Higgins did not advocate taking the control of the elections away from where it had always rested, he contended that the potential point under the bill he was discussing, was to give power to the election supervisors in disputed cases "to count and make return of the votes, and to empower the clerks of the United States courts to give certificates of election to the members of Congress who might be found to be entitled thereto." The act, however, provided severe penalties for all acts of bribery, violence and unfairness either by persons or by the election of officers to receive or reject the votes. When it is recalled that it was never proposed to make the function universal, but to limit it to Congressional districts in which a hundred citizens should ask for the benefit of its provisions it will be difficult to understand at this late day why it should have been so bitterly opposed. It was stigmatized as a "force bill" and denounced as a measure deliberately designed to suppress the

right of the people to manage their own affairs free from the dictation of the Federal Government. The debate was a prolonged and exciting one, in which the great lawyers of both sides took part. Hoar and Hawley were the most distinguished of those who supported the arguments and contentions of Higgins, while Reagan, Harris, Carlisle, Butler, Gray and perhaps others, opposed them. It was one of the great debates of the period, and while it was largely partisan, if not sectional, it led by imperceptible steps to the slow but certain evolution of the true and safe doctrine that all such matters should be left to the regulation of the States free from all control not absolutely necessary on the part of the Federal Government.

The most notable feature, however, of the debate, was the skill, learning, power and promptitude with which Senator Higgins presented his argument and resisted the contentions of his opponents. It was a notable exhibition of the self-restraint, dignity and seriousness with which the Senators of both sides, and especially those from the South, had come to support their arguments. It was in notable contrast with the manner in which the representatives of the two sections would have debated such a question, if such question had been possible, a third of a century earlier. While it cannot be perceived that much, if any, immediate good came of it, it is certain that it caused both parties in the Senate to recognize Mr. Higgins, as one of the ripest of our political scholars, as well as one of the readiest, most interesting and most eloquent of the Senators on either side of the chamber. His fame and consideration were fixed thenceforth. He received many letters and personal commendations of his course and his arguments, which encouraged him to hopefully await for the developments of the future.

Mr. Higgins was an earnest and patient student of political economy, and read all the books and arguments of the time, on bi-metalism, and the free coinage of silver, and in June 20, 1892, he delivered a notable address to the Senate on the subject. But it was a difficult subject for the nation to reach an agreement upon. The whole world, and especially all American countries, were interested in it. The discussion was continued for several years while the tentative measure of purchasing certain definite quantities of silver, was under trial, and the subject in all its varying phases as under the watchful consideration of all the acknowledged experts of both America and Europe.

On September 15, 1893, Higgins again addressed the Senate, this time on the subject of purchasing silver bullion and issuing treasury notes in payment therefor. This led also to a notable discussion, in which Senators Lodge, Mitchell, Hoar, Teller, McPherson, Dolph, Allison, Faulkner, Peffer, Allen, DuBois, Gray and Stewart, took part each according to his local interest, or his general convictions. Fortunately while this was a question of the highest economic importance, it was free from political or sectional, as well as from local or special interest, except those connected with silver mining. The debate was, therefore, one which best represented our theory of government, and called forth the highest efforts of all the Senate as the deliberative body of the National Legislature. While more than one of the Senators were noted as adjective men or florid speakers, most of them displayed reasoning powers of the highest order, as well as broad and statesmanlike views. The debate was long remembered as one of the most creditable the Senate had taken part in for many years, and it is but fair to add that throughout its whole

course Higgins displayed both marked dignity and great learning. On the state of facts as agreed upon, he favored the purchase of silver bullion to the limited extent provided in the bill. He even declared himself in favor of bi-metalism if the leading European powers could be induced to adopt it as a part of the world's financial policy, but he resisted all arguments in favor of it, or of the unlimited purchase of silver bullion by the national treasury. In the end silver ceased to be coined on the basis of fifteen and one-half to one, and all silver currency countries adopted a new ratio. But silver was kept in circulation in our country as token money, represented by paper notes at the old ratio, by providing for their redemption in gold. Mr. Higgins concurred in this wise solution of the silver question, and contributed his fair share of support to the policies and the measures by which the solution was reached and the currency of the country continued on a gold basis in harmony with the great commercial countries of the world.

In common with many other thoughtful men, Senator Higgins gave a great deal of consideration for many years to what was aptly designated by Goldwin Smith as "Continental Union," as the most practicable and certain means of promoting a solidarity of the English-speaking people. In common with that distinguished scholar and publicist, he favored "an equal, honorable and peaceful union of all English speaking States and colonies of North America, so that the entire continent might be eternally dedicated to the cause of peace and of constitutional self-government."

For the furtherance of this great idea, Senator Higgins was invited by the Michigan Club, of Detroit, to deliver an address on "Manifest Destiny" at a banquet to be given on

February 22, 1893. The occasion was a notable one—perhaps the most notable one of the Senator's life, and well did he discharge the task which it presented for his consideration. It was of continental, if not of race-wide, interest, and it was handled with the matured wisdom of a statesman and a philosopher.

It started with an apposite allusion to Britain's proposition that the United States should never build an Isthmian canal alone, and the declaration of Senator Douglas that our Government "should place no limit by mere agreement as to what the United States shall say or do as to this Continent. It is her manifest destiny to own or control it all." Pointing out that the only real peril this destiny had ever encountered, was the Southern Rebellion, and that the abolition of Slavery and the re-establishment of the Union forever, "had been followed by the resumption of the great law of our being," he briefly indicated how our English, Dutch, Spanish and French colonies had become united under one government, and how we had become the greatest power of the Continent. And it was the consideration of this process of mingled peace and war which brought him to the great question of "what shall be the future relations of Canada and the United States?"

In endeavoring to answer this important question, with a full sense of its complexity, he frankly acknowledged the love of the Anglo-American people for their kin beyond sea and the patriotic sentiment which binds them with hooks stronger than those of steel to the government to which they owe allegiance, he pointed out with clearness that while they had no political disqualification or grievance, they would be impelled solely by their economic and commercial interests to unite

their fortunes sooner or later with those of the Great Republic on the South. He quoted the declarations of Goldwin Smith that the Constitution of the United States, by its inhibition of export and import duties between the States, "is the largest measure of free trade ever enacted" that "the American market is the wonder, the envy and the covetous attack of every other country in the world," and that this constitutes the great and irresistible influence which will slowly but inevitably drive all Canadian America first into commercial and then into political union with us. The necessity for a closer and greater market and for the mutual profit of buying and selling within it, affects both countries alike. It concerns both peace and war at home and abroad. On the other hand, war between Canada, Great Britain and the United States, which is always possible, is therefore the greatest danger to their common prosperity. But with Canada a voluntary part of the Union, England and America would naturally stand together forever as the controlling power of the world working for the peaceful advancement of mankind. All the arguments for this consummation were presented with rare skill and ability. "To-day," he declares, "the American people are saying to Canada: 'We wish you well; we are willing to share all our material prosperity with you, and to make you richer than the imagination of man can conceive. * * * Cast in your lot with us. Sever forever your political relations with Europe. Unite with your own race and religion on the American Continent. Come into our own glorious Union and take your part in the sisterhood of States. Dismantle your fortresses and dismiss your ships of war. Let us Americans have on our continent no such arbitrament as this. * * * Under the dome of our capitol at Washington we will enact

all American laws and settle all American disputes; here we will dwell undisturbed by war or rumors of wars, in an unending peace, in a happiness which will yield only to the larger vision of the poet. * * *

"When the war drums throb no longer,
And the battle flags are furled,
In the parliament of man
And the federation of the World."'"

With this lofty appeal free from a single thought of force, of partisan spirit or even of selfish interest, he left the question which he had raised to the Democratic party, and to the Canadian people; but unfortunately to all concerned, neither was ready to undertake its solution at the time. Meanwhile the situation has changed, on this side of the ocean at least. Reciprocity has been proposed and rejected by the Canadians for fear that we might use it to hasten annexation. The Taft administration, after an act which put a large number of Canadian productions on the free list, has turned the Government at Washington over to a Democratic administration pledged to a material reduction of the tariff. What will be done cannot yet be positively stated, but it seems apparent that the Democratic Congress, if it does not add still other articles found or made in the Dominion of Canada to the free list, will at least leave those upon it which were placed there by the Republicans, on the broad principle that we need the articles, and that where a people sell, there they will buy also.

This may be another case of the slow evolution of the better methods to be adopted as well of the better course to be followed to reach the great end of a "Continental Union."

There are already 100,000,000 English-speaking people in North America, while there are only 55,000,000 in the United Kingdom and all her colonies. In other words, the centre of gravity of the Anglo-Saxon people has passed to the Western Hemisphere, and as the fundamental law of their racial polity is the rule of the majority, Mr. Higgins, like the true philosopher and statesman he was, was content to leave the great question for the settlement of the future, near or remote, as the controlling influences at work might finally determine.

Fortunately for the country, Congress had a lot of more pressing, as well as more practical questions, calling for solution, among those of special importance was the Democratic proposition to repeal all statutes relating to supervision of elections and special deputy marshals, for the purpose, doubtless, of leaving the individual States, especially those of the South, free to manage their domestic affairs in their own way, and among other things to limit, if not to deprive, the negro of the right to vote.

In the debate which followed, Senator Higgins made an extended and careful address, January 29, 1894, in which Senators Allison, Cullom, Chandler, Palmer, Lodge, Platt, Wilson, Vest and others, took part. The state and effect of the law in the various States, were fully given, and the whole ground was covered, pro and con, without undue excitement and no personal rancor. As usual, Mr. Higgins bore himself well and showed perfect mastery of the subject from his own point of view, not only as a Delawarean, but as a representative of the national Republican party.

On April 26, 1894, Senator Higgins made an extended and interesting address, incidentally discussing our relations with

the Sandwich Islands, and strongly favoring their annexation. It will be remembered that President Cleveland and his party opposed this measure and recalled the treaty that President Harrison had negotiated and submitted to the Senate. Here again an extended discussion by the Senators and the newspapers of the country resulted in clearing the question of purely partisan opposition, and after a few years' delay, in the annexation of the important group of islands on grounds which were conservative of national interests, and were creditable alike to all branches of the government. Not the least of the influences which led to this result was the danger that these islands, if not annexed, would ultimately fall under the dominion of Great Britain or of Japan, which had already sent some 40,000 of its people to work upon its sugar plantations. These dangers were not only pointed out by the Senator, but he gave a clear and extended account of the natives and of the American settlers, and of their work for the education and uplift of the natives. It was a rare case of American colonization, and the final annexation was a tribute to the virtues of the worthy people who led in this work. Fortunately the delay resulted in no material injury to the interests of Hawaii or of the United States, but, on the whole, brought about a better understanding of the case, and a more complete adjustment of all the interest involved. It, of course, heightened the reputation of Senator Higgins for the industry, learning and ability with which he presented his views on this unusual and important chapter of American History.

Six weeks later, on June 14, the Senator, in discussing the Year's Revenue Bill, which put wool on the free list, pointed out with perspicacity its effect upon the relations of the United States with Canada, and especially upon the wool growers of

the United States, "who wanted protection." He claimed that the McKinley bill was an object lesson to both sides, showing "the American farmer what an easy remedy he has against foreign competition," and the Canadians the absolute uncertainty of the market across the dividing line, where the prices are determined by Congress, over which outsiders have no control. In the discussion he called attention to the fact that Britain in 1846 adopted her policy of free trade, and by the same act cut off the differential advantages previously allowed to British Colonies. At the same time the Walker Tariff cut Canada's products out of the States, and thus did much to add to her impoverishment. It was to meet this condition that Lord Elgin was appointed Governor General, and immediately after assuming office went to Washington and negotiated the "Reciprocity Treaty" with the Democratic Administration then in power. As it turned out, however, this proved to be, in the language of the day, "a jug handled arrangement"—all on one side. Both countries were then long of agricultural products, but the short line to our great mills, and to the open markets of the world, lay through the States, and gave the Canadians great advantages all the year around without reciprocally opening their markets to our manufactures, which would alone have compensated us for the concession. Higgins's exposition of this subject was clear and masterly, and accompanied as it was by figures and tables showing the course of trade from 1821 to 1891, it was properly considered an important step in the slow process of evolution which must ultimately settle all questions of commerce, as well as of international relationship between the Dominion of Canada and the United States on a broad, liberal and philosophical basis. But as the Canadians were then busy in building an inde-

pendent canal lock at Sault Ste. Marie, and in constructing a continuous trans-continental railway line along the north side of the great lakes, and everywhere beyond our border, they soon became not only entirely independent of our railroads, for inter-ocean traffic, but became their most active competitors in what might be considered our domestic coasting trade from one border State to another.

Mr. Higgins fully explained the injury and origin of what had already become an established custom. The policy was adopted at the very outset of our government "that all coastwise commerce must be carried on American ships," and that "is the law to-day." In spite of this law, however, the practice had already become general without legal sanction of any sort by which Canadian railways having American connections are permitted to carry merchandise through Canada from one point in the United States to any other point reached by their connections. They thereby absorb traffic, which, legally speaking, could only be transferred from one sea coast point to another in American bottoms. Inasmuch as Canada is for six months of the year cut off from the sea by snow and ice, and this makes transit by rail through our territory both ways without payment of duties a great and neighborly concession, hardly of mutual advantage, but leading, on the whole, to the unification of the two countries. Mr. Higgins clearly pointed out the many routes receiving the benefit of this arrangement, and that the Canadian-Pacific, which was the main line connecting them, was built "primarily not for commercial purposes so much as for political, military and imperial purposes." This was to accomplish the same object for which the Dominion of Canada itself was created—the consolidation of the confederated Canadian provinces

under one government, in order to maintain their homogeniety, dependence and allegiance to the British Crown. It was intended for the transportation of troops and munitions of war from one part of Canada to another part of Canada, and to weld the whole together in one harmonious entity. The proofs of all this were presented in an irrefutable array of facts, drawn from published works, speeches and statements made by British and Canadian writers and officials, and left no room to doubt the correctness of the inferences drawn therefrom. It was a masterly exposition of the far-reaching British and Canadian policy on this continent, which, under the practice of European nations, must have led inevitably to a war of annexation. With a wise and statesmanlike liberality, he refrained from condemning the British government for taking care of its own, but what he did find fault with, was the grave fact that our own government and statesmen permitted all this to go on, without taking the slightest notice of it, or resorting to any measures whatever to take care of their own interest in the matter. Rarely has the American Senate listened to a wiser or more statesmanlike exposition of the physical and historical facts bearing upon our "permanent and paramount interests," or more fully sustaining the underlying and fundamental principles which make for political unity, and for the solidarity and imperial destiny of the English-speaking race on the American Continent. He fittingly concluded his remarks with the declaration that while the pending bill was "but the ephemeral expression of forces essentially secondary," they might rest assured that "the primary and everlasting forces will speedily reassert themselves." And it is but justice to his memory to call attention to the fact that Senator Higgins remained true to the convic-

tions expressed in this great speech to the day of his death. Throughout mature life there never was an hour in which he did not believe in the ultimate realization of a solidarity of the English-speaking people and of an equal and honorable union of all their States and colonies in the Western Hemisphere.

Curiously enough, within one week after the speech just referred to, the ever-active and industrious Senator took a leading part in the debate on the income tax. On June 21, he spoke at length and with full learning in response to a request from the Wilmington Board of Trade, against the income tax as "contrary to the best interests of the country, and undemocratic." He pointed out that such a tax would be no relief to the taxpayers of the country in respect to the burthens which weigh most severely upon them and are imposed under our dual system by the State Governments. These he indicated with a familiarity born of personal experience, as including roads, causeways, bridges, schools, courts, juries, witnesses, jails, penitentiaries, police, water supply, streets, street lighting, sewers and public buildings, as well as the interest upon all forms of public debt. These are the most onerous, most imperative and most necessary in the conduct of local affairs. He contended that if the income tax could in any way lighten these burthens, it would receive support throughout the land, but he could see no hope of such results as this. To clarify his arguments he gave a brief history of the rise of our complex system indicating the field covered by the Federal Government as well as that covered by municipal, county and State taxation. He recited the history of the income tax levied for the support of the government in the war for the Union, and of its repeal. His

speech was, as usual, full of facts and figures and exposed the injustice of exempting the large sum of $4000, as was then proposed. His argument anticipated the same points that are now foremost in the public mind. With rare perspicacity he foresaw that so large an exemption would place the burthen on the richer section of the country, while relieving the poorer from what should be regarded as its just and equitable contribution to the national revenue. Senators Platt and Teller took part in the debate and helped to give it point and importance. None knew better than those eminent men when a subject before the Senate was receiving adequate treatment, and it is clear from the reports that upon this occasion they were not only expressing their approbation, but doing what they could to strengthen the argument of the distinguished Senator from Delaware.

On June 29, 1894, Senator Higgins took a prominent part in the debate on Reciprocity, which had already become a leading feature in our international policy. Senators Allison, Aldrich, Hawley, Hoar and Manderson, by the aid of leading members on the other side of the chamber, did what they could to make the discussion a notable one. While it was full of instruction for both sides, it must be confessed that it was inconclusive, but yet afforded Higgins an excellent opportunity for pointing out the insincerity of the Democrats who professed to be in favor of reciprocity, and yet were "going to put a duty on sugar, which would favor the Sugar Trust," and at the same time "put a direct imposition" upon every farmer, farm laborer, and manufacturing employee in this country. In conclusion, he called attention to the interesting fact that the idea of reciprocity embodied in the McKinley Act "was altogether too smart for foreign nations not to

emulate and adopt it. So we see they are all making such arrangements with one another. Germany is making them with Austria, Russia, Roumania and other countries. France is making them in the same way. England has actually made them with Old Spain." And yet the result was to deprive our people of the markets this policy had given them. He added the bill under consideration is bad enough. It is bad enough to be killed. * * * What it deserves is to be cut up by the roots and thrown into outer darkness. But if there is any one thing in respect to which an appeal might be made to at least the selfish discretion of the other side, it is that this party which plants itself on the broad doctrine of freer and larger trade, shall wake up to the fact that foreign nations are accepting the policy in which we led off, and that we should not destroy the great weapon, by which we do not ask, but compel a nation to give us trade."

The Senator's last year was 1895, but the approaching end of his term did not cause any relaxation in his activity. On February 7 he addressed the Senate in favor of a telegraph cable from the United States to the Hawaiian Islands, in which he not only favored constructing and paying for the cable, at the national expense, but strongly advocated the annexation of the islands, as a matter of the highest and most justifiable national policy. His argument was a well prepared lawyer's brief covering every aspect of both cases, and as both branches of Congress concurred substantially in his views and passed the necessary measure to carry them into effect it is not necessary to summarize them here.

Two weeks later Senator Higgins made an elaborate and carefully stated argument, in which he took the ground that

"the free coinage of silver by the United States alone would retard bi-metalism." Senators Wolcott, Teller, Stewart and many others on both sides of the chamber took part. It was a world question, to the solution of which the experts and economists of all countries made their contribution. Fortunately it was free from partisan politics, and was so thoroughly discussed that no exercise was left for an improper conclusion. Higgins, with his wide reading and profound study, made not only one of the ablest speeches of his life, but one of the ablest delivered on either side of the Senate. While he had favored the limited and experimental purchase of silver bullion as it was finally adopted, he, like others, saw that it had failed to restore the price of silver to its old parity with gold, and that with all other European nations selling it, or demonetizing it, the United States could not afford to authorize its free coinage alone, as a measure for its world-wide demonetization. He considered the whole question in its relation with agriculture, at home and abroad, and in connection with commence throughout the world. It is generally acknowledged that the Delaware lawyer made one of the wisest and most scientific speeches of the time, and that while he was frequently questioned by his Senatorial friends, none of them shook his arguments or broke the continuity of his speech.

His last speech was delivered on March 2, on the general theme of a stronger navy as a factor in the relations of the United States as a first-class power, with the rest of the world. It took a wide and flattering view of the part already played by the United States, and of the part demanded by our present position and interests, not only on the American Continent, but throughout the world. In this important speech, he, of course, bore himself as a self-possessed orator and states-

man, and although it was destined to be his last before the Senate it added materially to his reputation.

It can be truthfully said, that like those which preceded it, it constituted a step towards the evolution of the true national policy on the important subject of which it treated. But the brilliant and rising Senator was drawing sharply towards the close of his career. By the expiration of his term and by his failure to secure his re-election to the Senate, he passed from the scene of his greatest usefulness. While his place was taken in turn by men of far inferior ability, who, although they doubtless did their part in the settlement of legislative questions by their simple votes, were lamentably devoid of the learning and forensic powers which would have enabled them also to influence the Senate, their party and their country, as well as their own State, in reaching just and statesmanlike conclusions on the public questions of the day.

No disinterested student of the times can read the speeches so briefly alluded to herein without recognizing the strength of mind, the industry, the wide range of reading and study, and the great adaptability of Senator Higgins to public life, nor without regretting that his State should not have returned him to the Senate for a second term in which he could not have failed to add to his usefulness and renown, nor to permanently array himself amongst the men who not only wielded greater and greater influence, but became national characters of still higher respectability and eminence.

It may be truthfully added that as an orator Senator Higgins was easily the peer, if not the superior of either of his distinguished predecessor from the State. As a lawyer he was able and acute, and as a gentleman he was without stain and without reproach. Kindly, genial, and sociable, he harbored

no animosities, and while he was active and aggressive as a partisan, he gave no just cause of offense, but held his course steadily upward to the higher walks and practices of the Senator and the statesman.

As before indicated, the termination of this brilliant career was undoutedly due to the corrupt and profligate practices of the adventurer who concluded that because the State was small, and that here and there an impecunious citizen would sell his vote, the Senatorship itself could be had like a piece of merchandise, if the man who wanted it had the money to pay for it.

In returning to private life, Mr. Higgins resumed the practice of his profession, and for sixteen years left no duty of lawyer or citizen unperformed. As was his wont, he kept a watchful eye on local politics, but those who had displaced him never again permitted him to resume the leadership of his party. While he kept out of all cliques and cabals, he was far from indifferent to what was going on about him, and never failed to do all in his power to overthrow those less scrupulous than himself.

His clients returned to him, and his friends sent new ones, who gave him some of the best fees he ever earned. Taking a cheerful view of life and its affairs, he pursued "the noiseless tenor of his way" till his end was in sight. Now, more than ever, he renewed his interest in history and literature, and lost himself in the notable books of the time. He varied his reading by travels to our nearby countries, as well as to Europe, and by considering all things which concerned his State, his country and mankind at large. There was no man who led a more blameless or more philosophical life.

He was greatly attached to the Presbyterian Church, was

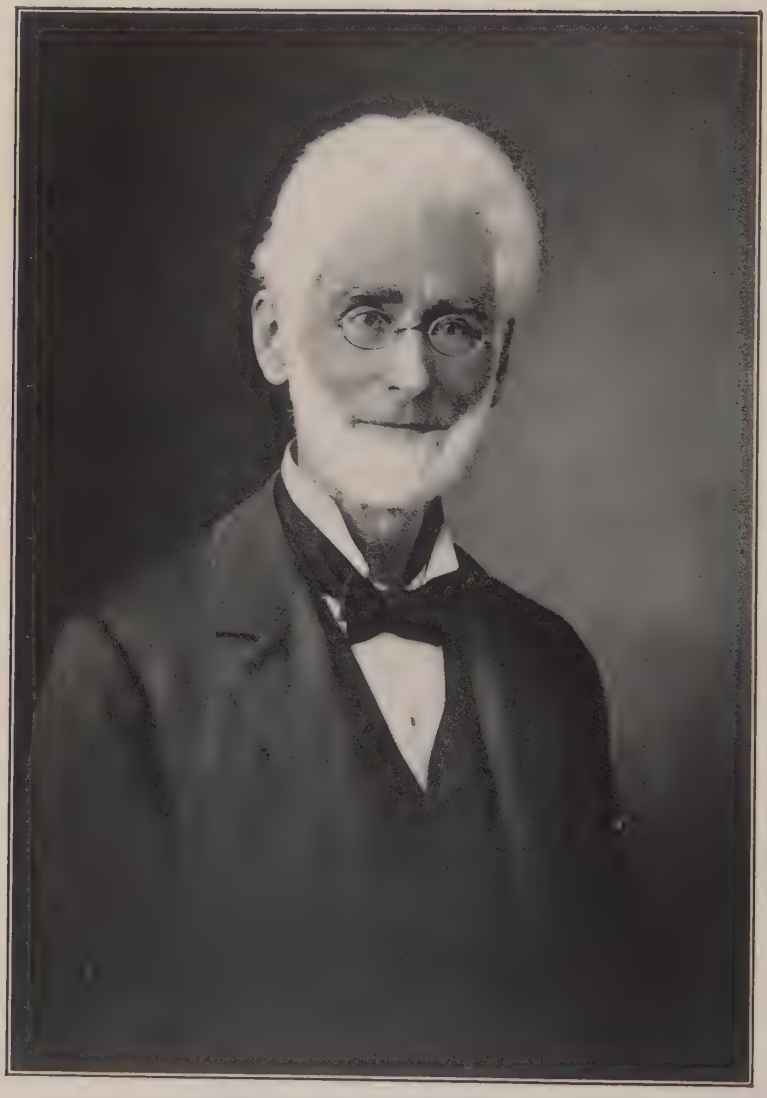
proud of its history in America, and was master of its details to the most minute degree.

He made notable addresses at the two hundredth anniversary of the Drawyer's and St. George's churches.

To the last he was a faithful member of "the Historical Society of Delaware," and it was in attending one of its stated meetings that he and his friends were admonished that his health was in a precarious condition. He died a few months later, on the twenty-sixth day of June, 1912, loved and honored by his family connections as well as by his friends and fellow-citizens.

"He was a scholar—a ripe and good one;
Exceeding wise, fair spoken and persuading:
Lofty and serene to those that loved him not,
But to those who sought him, sweet as summer."

Shakespeare, Henry VIII.



CHARLES B. LORE
1906

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE.

LXI.

F161
D34
V.4

THE LIFE

AND

PUBLIC SERVICES

OF

HON. CHARLES B. LORE

OF DELAWARE

BY

HON. JAMES PENNEWILL

THE HISTORICAL SOCIETY OF DELAWARE,
WILMINGTON.
1913.

CHARLES B. LORE

MARCH 16, 1831—MARCH 6, 1911.

By JAMES PENNEWILL.

It has been truly said that the history of a State is very largely the sayings and doings of her prominent citizens. It may be as truly said that the strength of the State often depends upon a citizenship that is not so prominent. The people have always been, and perhaps always will be, divided into different classes. There are the comparatively few who are much in the public eye or thought because of wealth, station, achievement or other distinction; and there are also the great numbers whose names are infrequently mentioned, but whose lives and services are of inestimable value to the commonwealth.

It is very difficult to estimate the value of a single life to the community in which it was lived. It may have been conspicuous, and it may also have been infamous. It may have contained elements of great strength, and yet not have been free from elements of fatal weakness. In influence and results it may have been a blessing, or a curse, to the community and the State. In other words, it is quite possible to be a great man in popular estimation without being a good man in fact, for such greatness depends much more upon what a man does and says rather than upon what he really is. The judgment of the people respecting individual

character and achievement depends not a little upon the age and conditions in which the individual lives. It is very probable that a man who gained much distinction a hundred, or even fifty years ago, would not be equally successful if he lived in the present age. The standard or test by which the world measures greatness and usefulness is not always the same.

We are living in an intensely practical and critical age. In the evolution and progress of the race we have reached a time that is pre-eminently commercial in its character, liberal in its thought and extravagant in its demands. Nothing is so old or sacred now as to be immune from attack. Precedent is regarded as of no binding force because that which may have been sufficient for yesterday will not suffice for today. Environments are different, conditions have changed. The contrast between these later days and the earlier times it is impossible to describe, but the essential forces then were the same as now. The most valuable and effective qualities in the early days were courage, character and common sense, and I submit that with all our progress and enlightenment we have nothing better now.

There are some persons who do not believe that the race has made great progress along every line of human activity in the last half century. No one will deny that remarkable advancement has been made in all material things. Achievements in science, business and finance have indeed been marvelous in recent years, but in the fine arts and literature many claim we have retrograded rather than progressed. They challenge us to name an artist, poet, novelist or historian of late years who can be favorably compared with some who lived more than fifty years ago. It is said the

people are so much engrossed in the material and coarser things of life that the finer feelings and æsthetic qualities of men and women are not developed now as they used to be. They charge that this is not only a materialistic but also a very selfish age.

While conditions might be better than they are, I do not believe they are such as to warrant the thought that is common—that while we build everything else strong and true we are not so successful in the building of character; that while amazing progress is made along every other line, we are not advancing as we should in the making of good, true and worthy men. This thought is very aptly and forcefully expressed in the following lines that appeared in one of our periodicals not long ago:

"You build them well, and you build them high—
These marble and granite piles;
Your pointed towers salute the sky
With turrets and gleaming tiles.
Your arches leap till they meet in space,
And leap till they meet again;
You build with power and build with grace—
But where are you building men?

"Your halls and temples are proudly raised,
And firmly and nobly planned;
What wonder, then, that we stand amazed?
You build with a lavish hand.
You build completely, with art sublime,
A theme for a subtler pen
To bound and balance in coming time
But where are you building men?

"You dig your trenches and build your walls,
And rear to your lasting fame

The massive pillars and stately halls,
And carve on the gates your name;
All groined and windowed and roofed and eaved
With all of the builders' ken,
A splendid thing you have thus achieved—
But where are you building men?

"You build the structure to house your pride,
The girder and post you raise,
You make them high and you make them wide;
But what of the coming days?
Who builds the courage of mind and heart
And soul that will help us then?
You build with cunning in every part—
But where are you building men?"

Undoubtedly the most important and pressing duty in this day is the making of strong, intelligent and capable men; men who are broad, well-balanced and sane; men who are proud of their country, who believe in its institutions and have faith in its future; who are jealous of their own rights and tolerant of the rights of others; men who rejoice in their personal liberty, and who believe in a government by the people, but under the constitution and the law. I contend that men of just such character and quality are being raised up now in every business, profession and trade; and it is about such a man that I desire to speak briefly tonight.

It is not my purpose to speak at length of what Charles B. Lore did during his long, busy and useful life. His achievements and public services have been fully told in the public press, and are well known to the people of the State. An admirable sketch of his life, remarkably accurate and concise, but comprehensive too, has been written and pub-

lished by Hon. Henry C. Conrad in his "History of the State of Delaware." The author of that sketch wrote not only as the historian, but also as a close and sympathetic friend. He knew Mr. Lore's life as well, perhaps, as any other man, and I could add nothing to the account he has given even if I tried. I have drawn largely from that account in preparing the following brief sketch.

Charles B. Lore was born in Odessa, Delaware, March 16, 1831. His parents were descended from families which settled in Cumberland County, New Jersey, in the seventeenth century. His father, Eldad Lore, who engaged in the farming and lumber business, was a man of most estimable character, and exceedingly kind and charitable to the poor. His son, Charles, attended the village schools, and later entered Dickinson College in 1848. At the end of four years he graduated with the honors of his class. For a short time thereafter he read law in the office of Judge John K. Findley of Philadelphia. Soon after his return to Delaware he was elected Clerk of the House of Representatives; and was again elected to the same office at a later session of the Legislature. He then joined the Conference of the Methodist Episcopal Church on trial, and was sent to the Princess Anne Circuit on the Eastern Shore of Maryland. After spending one year in the ministry he resumed his law studies in the office of Chancellor Bates in Wilmington, and was admitted to the bar in 1861. While in the ministry he preached a number of times in Odessa or in that vicinity. In the year he was admitted to the bar, the young lawyer was a candidate for the Legislature on the Democratic ticket, but shared the defeat that overtook his party. Governor Burton appointed him commissioner of the draft to

raise troops for the Union Army in 1862, and in 1869 Governor Saulsbury appointed him Attorney General of the State. During his tenure of that office he tried with much force and ability a number of important cases, and made a very creditable record as prosecuting officer. One of the noted cases he tried was Goldsborough for the murder of Marsh, and after conviction and sentence the defendant escaped to the South. Another criminal case which caused even greater notoriety, and one of the most remarkable and sensational cases ever tried in this country, was that of Dr. Isaac C. West, who was charged with killing and skinning a negro named Turner, of about his own size, with the intention and expectation of having the burned corpse palmed off for his own so his wife might collect the life insurance policies he carried. West was defended by the late Willard Saulsbury, a lawyer of much ability, and a man of great influence in the county. The jury, after a highly sensational and fiercely contested trial, during which the whole gruesome story was told, acquitted the defendant. During and after the trial the noted expression of West became current, "You don't know what you would do if you had a dead negro on your hands." Although acquitted of the charge of murder, West was convicted of attempting to burn the building in which the body lay, and sentenced to a term in prison. After the expiration of his imprisonment, he found it impossible, hardened as he was, to live with any degree of comfort in the community, and accordingly he went to the State of Texas where he practiced his profession with some success. Another notable victory won by Attorney General Lore was the conviction of the four professional cracksmen, who in 1873, assaulted the family of the cashier and tried

to rob the national Bank of Delaware at Wilmington. These desperate rogues, who were handsome in appearance and apparently respectable in fact, got a taste of Delaware justice which neither they, nor any of their craft or kind will ever forget, being set in the stocks, soundly thrashed in public and sent to prison for a term of years. In this case, as in many others, Mr. Lore was called upon to meet the ablest lawyers at the bar as counsel for the defendants, but in no case was it ever said that the interests of the State were not adequately protected and safeguarded by her Attorney-General.

While his office of public prosecutor gave him a wide acquaintance with the criminal side of the practice of the law, and greatly enhanced his reputation as a strong trial lawyer, yet it is upon the civil side of the law that he gained the greatest distinction. He was engaged in a large number of important cases, and participated in more trials, for many years, than any other member of the bar. In some of those cases very important questions of law, constitutional and otherwise were involved, as for example the disputes between Delaware and New Jersey relative to their water boundaries, and affecting the fishing rights of their people.

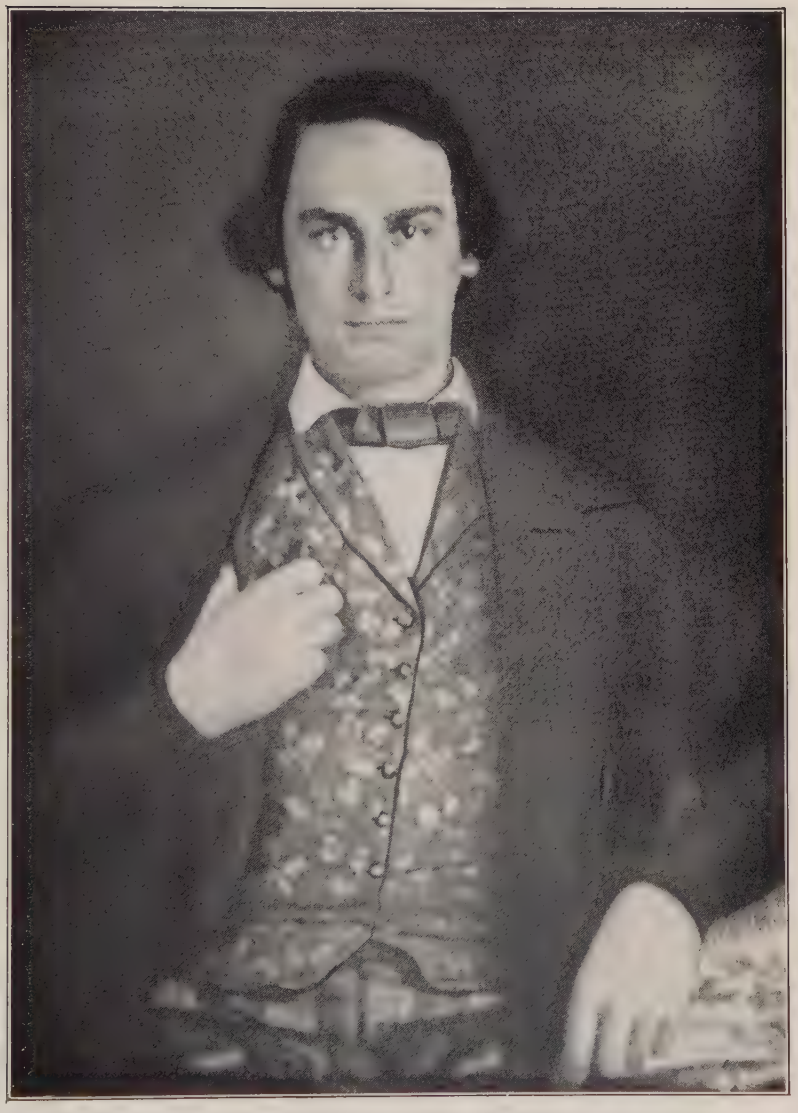
Mr. Lore for many years before his appointment to the bench enjoyed a very large practice, and had more clients than any other lawyer in the State. A large number of his clients were people of modest means, unable to pay large fees, and his income, therefore, was not as large as that of some other members of the bar. His law offices were hives of industry and activity, in which there were always to be found, not only clients but a number of students as well, many of whom became very prominent and useful members

of the profession. It is quite certain that he was legal preceptor, friend and helper to more young men striving to enter the profession than any other person who ever practiced at the bar of the State.

Charles B. Lore was always a Democrat in politics, and enthusiastically supported the principles of that party locally and nationally. He was elected to Congress in 1882, over Washington Hastings, by about two thousand majority, and re-elected by a majority of four thousand, which was perhaps the largest ever given to a candidate in this State in an election actually contested. While in Congress he performed valuable service on some very important committees. His painstaking and conscientious examination of all the subjects he touched, either in debate on the floor, or in committee room, together with his legal knowledge and training made him not only a valuable member of the House, but also a splendid reputation as Representative of his State in the Congress of the United States. Upon the resignation of Thomas F. Bayard from the Senate to enter President Cleveland's Cabinet, Mr. Lore's name was urged by his friends for the vacancy, but after a notable contest in the Legislature he was defeated by Mr. Gray by a majority of one.

Upon the death of Chief Justice Robinson, Mr. Lore was appointed his successor for life, March 21, 1893; but under the new constitution was reappointed June 10, 1897, for a period of twelve years. Before his first appointment to the bench, and after his election to Congress in 1882, he formed a law partnership with Harry Emmons, Esq., which continued until he became Chief Justice.

He was married in 1862 to Rebecca A., daughter of Josiah



CHARLES B. LORE

FROM A DAGUERREOTYPE TAKEN ABOUT 1852

Bates, a Friend, of Mount Holly, N. J., and when he died left to survive him his said wife, and also his daughter Emma, who is one of the State's most accomplished and popular musicians. For a great many years Mr. Lore was a very active and conspicuous member of the Methodist Episcopal Church, and was chosen more than once as a delegate to the General Conference of that denomination. While he showed marked readiness and ability in the discussions on the floor of the Conference his usefulness was more especially manifest in the deliberations and reports of the law committees. Dr. J. M. Buckley, at the time, editor of the Christian Advocate, said editorially in his paper that Judge Lore was easily the first layman in the General Conference of the Church.

It would be impossible within the limits of this paper to give any adequate account of the services the deceased rendered to his State and people during a long and busy life. In addition to the high and honorable positions we have mentioned, he filled many other important positions with credit to himself and the State. He was for many years a Trustee of Delaware College, and the President of the Board. His interest in that institution was profound, and the time and effort he expended in promoting its welfare were remarkable. He was one of the incorporators and trustees of the Home for Friendless Children in Wilmington. It was largely owing to his interest in, and connection with, the Ferris Industrial School and the New Castle Workhouse, that those two institutions have become such effective agencies in the accomplishment of good; and it may be truthfully said that but for the persistent efforts of Mr. Lore the Workhouse would not have been secured.

He hoped in the first place to make it a State Institution, but failing in that he procured it for New Castle County. By virtue of his office of Chief Justice he was the President of the State Medical Board, and performed the duties of that office with conscientiousness, and with as much efficiency as a layman could possibly do. There were yet other agencies or enterprises of great usefulness in which he was the dominant and controlling spirit, but I have mentioned enough to indicate what a large part of his time and strength were freely and gladly given to help others, and without the faintest possibility of any reward for himself other than the consciousness of duty well done—of a life well spent.

In certain respects Mr. Lore was always very methodical, as well as temperate, in his habits. With him it was "early to bed and early to rise," and it was the observance of that rule which enabled him to accomplish so much in his practice. It used to be a common saying among the bar, before the Court House was removed to Wilmington, that Charley Lore would walk over to New Castle, do a day's work and return to his office before other attorneys had fairly begun the work of the day. When attending court in Dover or Georgetown he would be up and doing, or mingling with the people, long before other judges were out of bed.

I have given a brief sketch or outline of that which is commonly known as the life of Charles B. Lore. But it is in fact not much more than the skeleton, and certainly nothing more than the body of that life. Of this I care not further or more fully to speak. It is the soul or spirit of this good man upon which I desire for a little while longer to dwell. And there could not be a better place in which to speak of our

departed friend than right here before this Society where he spent so many happy hours of his life. I know how he regarded this valuable institution, how intensely he loved the work, and how diligently he labored to maintain an interest in the efforts made here to collect, preserve and perpetuate the traditions and history of the State, as well as the notable achievements of her citizens.

But it is not so much what Mr. Lore did as what he was, that appeals to me, for I loved and honored him as one of the best of men. I desire to speak of certain qualities that he possessed, and of certain graces he exemplified, in a greater degree than any one I have ever known.

Charles B. Lore was, first of all an intense, uncompromising and unvarying Delawarean,—deeply in love with his State, proud of her history and mightily concerned about her future. The deep interest he felt in the welfare of the people would undoubtedly have caused him, if living now, to espouse many of the principles which are today called "progressive." Indeed, he was a sincere advocate of female suffrage long before it became such a distinct issue as it has recently become. He would have continued a strong and consistent advocate of the principles of the Democratic party, but his feelings and sympathies would have been with the most progressive element of the party. He was a great admirer of Mr. Bryan even during his first candidacy for the office of President, when many strong members of the party refused him their allegience, but he did not, as I recall, have a very warm feeling for Mr. Cleveland during the closing years of his administration.

It is not an easy task to adequately describe the virtues of a good and useful man; and it is difficult to fittingly ex-

press one's feelings respecting a true and valued friend. Our late Chief Justice was not only a thoroughly good man, but also a friend, as many can testify, both tried and true.

His industry and absolute devotion to the work in hand, were characteristic of the man. He could not be satisfied, or rest, until the work was done—the duty performed. I very much doubt that he ever imposed upon another a labor which he could himself discharge. As a practicing lawyer, as prosecuting attorney, as representative in Congress, and as Chief Justice of the State, he was always the willing and untiring worker, eager to accomplish the work in which he was engaged. He was indeed the incarnation of industry, promptness and despatch. I have never known any one so eager and determined to do his full duty and more, nor any one whom it was so difficult to withdraw from his task. Neither fatigue, weakness or even illness, would cause him to relax or desist. I know he wanted to be found in the harness and at the post of duty when the final summons came. In the Court room and on the bench, on at least two occasions he persisted in the discharge of his judicial duties until all his powers were temporarily gone. And even then when consciousness returned he insisted on resuming his work, and could not be induced to quit. He would lightly remark: "It was a fit of laziness, that is all." The truth is, he was willing at any and all times to sacrifice himself in the performance of duty, and it is quite certain that personal emolument or advantage was never in his mind.

It is a question whether there has ever lived in this State a man who felt and manifested more interest in the people than Mr. Lore. He was pre-eminently a public spirited citizen, and deeply solicitous always for the welfare and best

interest of every class. It would be difficult, as I have said, to mention the many public institutions with which he was actively and conspicuously identified, or the many good causes he endeavored to promote. He was at all times, until health and strength had failed, active and zealous in those good and useful works which most busy men are inclined to avoid; and he will be remembered perhaps more for the voluntary and disinterested service he gave to others than for anything else. The example he furnished, and the influence he exerted, in this regard, can never be forgotten. Such virtues and graces of human character can never die—they must be immortal.

We hear more today about the value and importance of fellow service than ever before. When I say "fellow service," I mean that which causes an effort and entails a sacrifice. Our wealthy citizens are entitled to great credit for their generous contributions to many good causes. The way in which they respond to all proper appeals for help is really wonderful, and nothing like it is ever seen in any other country. It is ever a striking illustration of practical Christianity—an exemplification of the gospel of good works. But, beautiful and valuable as this may be, it is not to be compared to the service that represents a large part of one's life and strength voluntarily given. This means real work, trouble and sacrifice for humanity, and it is in fact bearing one another's burdens, it is helping in real earnest to carry the load.

And such is the kind of service our deceased friend was always ready to give, as well as financial assistance which for him was too bountiful. His generous heart knew not how to say "no" to any appeal which to him seemed good

and deserving. He was willing to go at any time and speak for a good cause no matter if the road was long and the conditions unfavorable. He regarded it as a duty, and I shall always believe the impairment of his health was partly caused by this kind of service which he continued to render when his strength was not equal to the task. I have told him so more than once, but his reply was always the same: "It may be that my going will help some one, perhaps I may do a little good."

Whatever may have been the effect or value of his work for others, and however it may have been regarded at the time, it was the willing work of a kindly heart, and altruistic in the highest degree. As he travelled life's hard and difficult road the one thing that gave him the greatest pleasure, and that he most loved to do was to "lend a hand," and he did.

For such efforts there could have been no motive, or controlling cause, except fellow service, and no reward or compensation other than the consciousness of duty well done, and the appreciation of a grateful people. Such a reward was assuredly his, for he was close and dear to the public mind and heart. In his life he was the people's friend; the people, and especially the plain people loved him, and in his death they recognized and felt the loss of one of their truest and best friends.

I have no doubt that Mr. Lore knew more people in his State than any other citizen, and am equally sure that no Delawarean's death has saddened more hearts, caused greater grief, or sorrow more widespread and profound. All over this State he was known to the young and old, the rich and poor, the high and low, and many there are of very

humble station who will treasure the recollection of his kindly speech and gracious smile. We like to think that when he left a large and lucrative practice to go upon the bench at a salary, then of $3,000, he dedicated himself to the service of the public, to the amelioration and elevation of the people in the larger sense. Surely such must have been his thought, and let us hope that he died in the full belief that his disinterested efforts had not been in vain.

In his nature and life there was no bitterness, malice or hate. He was surely one of the most forgiving of men. I have seen him under fierce attack, and subjected to treatment that few men could ever forgive or forget, but I do not remember that I ever heard him speak unkindly of another after the storm had passed. He observed almost religiously the rule which it would be well for every one to obey, "if you cannot say something good, say nothing at all." I do not mean that he would meekly submit to unfair treatment or fail to resent an unjust charge. He could and would fearlessly resent such treatment, and courageously maintain his position when he believed he was right, but when the controversy was ended his heart cherished no bitterness, the unkind word was soon forgotten, the fiercest battle left no scar.

So far I have spoken of the admirable qualities and strong points in the character and life of our departed friend, and it would be a pleasure to dwell further thereon, but I am not seeking to paint the picture of the perfect man, or even of the great man. There have been greater men in this State intellectually than Charles B. Lore. There have been lawyers more profound and learned in the law. There have been those who have rendered even more distinguished and

conspicuous service for the Nation and State, but there has been no life of greater service to the people or more useful to the commonwealth.

Like all other men, no matter how great, he had some weaknesses, and paradoxical as it may seem, they resulted from the goodness of his heart. He was generous to a fault, and gave away more than he could at any time afford, but this was because of his kindly and sympathetic nature. It was simply impossible for him to refuse assistance to a good cause, a deserving friend or a person in need; and because of that he was often a victim to the importunities of friends who knew not the limited extent of his means. But he knew of course, and his most partial friend can find no excuse for a generosity he could ill afford. There were doubtless many who imposed upon his generous nature, but the pity of it is that he had not the power to resist, and that the strength of his will was not equal to the goodness of his heart.

As a practicing lawyer he was regarded as a safe adviser by capable business men, and yet he was not successful in the management of his own business affairs. Mr. Lore was convinced that the best investment for the future was real estate, and bought farming lands to a considerable extent. A large part of the money he had made and saved was expended in improving such lands, which eventually he had to sell for little more than their purchase price. Like many others he was unfortunate in investing so much money in real estate at the time he did; and moreover he was a theoretical rather than a practical farmer. The inevitable result was, not only the loss of money but also the shattering of the illusions of a lifetime respecting the large returns from farming and fruit culture.

But there was a reason other than the hope of profit which caused Mr. Lore to become so largely interested in agriculture and fruit raising. He was an intense lover of nature, and would gladly have lived upon his beautiful little fruit farm in Brandywine Hundred on the Delaware river. During his later years he spent there many, many happy hours, among the trees which he had planted years before, and tenderly and fondly cared for during the intervening time. He liked to put on the overalls and broad brimmed hat, and work upon and among those trees as the farm hand would ordinarily do. In such things he took the keenest delight, and felt that he was thus communing with nature in one of her loveliest forms. While this was beautiful and interesting to him, it was practically more costly and hurtful, in a financial sense, than he perhaps ever realized. But the experience of our friend was not at all unique or exceptional, for other professional men have suffered from the same experience, or disease, which goes to prove that a man may be a very good lawyer, and capable adviser for business men without being a good or fortunate business man himself. Indeed, one of the rarest combinations found in the profession is the person who is a splendid lawyer and a capable and successful business man too.

I have often wondered, as others have, what would have been the result of Mr. Lore's life if he had continued in the ministry of the Methodist Church. As a young man he evidently thought of making that his life work, but for some reason, never disclosed as far as we know, he abandoned it after a very brief experience. It is interesting to speculate upon what he might have accomplished if he had remained in the ministry till the end of his active career. Certainly

his life would have been very different, but I believe it would have been equally successful. Undoubtedly the deceased had many of the qualities that go to the making of a popular and successful preacher and pastor. Indeed, it is hard to conceive of one who combined a greater number of such qualities. He was always found on the right side of every moral question, and his interest and efforts in such a cause, and especially the temperance cause, could be neither abated or compromised. Against the forces of evil he was unrelenting, and for a public menace there was no extenuation or excuse. His gentle, kindly, sympathetic nature; his deep and absorbing interest in the welfare of every class, and especially the lowly and the poor; his disposition always to lend the helping hand; his ability to win and draw others unto himself; his earnestness and forcefulness in private and public speech, would have made him a power in the church for usefulness and good. He would, in my opinion, have been a great preacher, and a pastor loved by all and excelled by none. It does seem to me that Mr. Lore was pre-eminently fitted in every way for unusual efficiency and influence in the church, and that he might have accomplished great things in that highest of all earthly positions—the sacred office of Minister of Christ. I do verily believe that his election to the Episcopate would necessarily and inevitably have followed, and that he would have been numbered, before his death, in that galaxy of strong, able and eloquent men who have become Bishops in the Methodist Episcopal Church.

Mr. Lore had one peculiarity which some persons misunderstood and called a weakness, but which was entirely natural to the man. He was unusually effusive and given to

compliment which at times seemed like flattery. This suggested to some minds the thought of insincerity, but it was far from the truth. He was entirely too open, frank and simple in his nature to be anything other than an honest, truthful man. He was not made of the stuff of which demagogues are made. He might be, and was at times wrong in his judgments, but he was never dishonest in speech or deed. This seeming weakness was nothing other than the expression of his kindly nature.

For twelve years it was my good fortune to sit with Chief Justice Lore upon the Bench, and I cannot recall that association except with memories that are tender and dear. His patience, courtesy and kindly assistance, especially to his younger colleagues, can never be forgotten. He was always ready and willing to aid, was at all times able to encourage; and he knew how to inspire with confidence and hope. I sincerely trust that the influence he exerted, and the many good qualities he possessed and exercised, may appear and reappear as long as the Delaware Bench shall live.

Mr. Lore was, as I have already said, a remarkably good lawyer; and he was also a capable and faithful judge. As Chief Justice and presiding officer in the *nisi prius* courts he sought to dispose of the business not only properly but speedily as well. The feeling was strong with him that the work of such courts should be done with reasonable despatch, and if mistakes were made in the law there was a higher court whose business it was to correct. He made mistakes, of course, as any judge must, but I venture to say that no judge in this State has rendered as great a number of decisions with fewer errors than Chief Justice Lore.

There is one thing of which I am very certain, and it is,

that in no case was his decision ever influenced in the slightest degree by favoritism or bias towards any litigant or member of the bar. His nature was so kindly and sympathetic that in some cases he may have seemed to err on the side of mercy, but if such be weakness in a judge, it was to his mind the least reprehensible of all.

For the integrity and good name of the bar and bench of the State his solicitude was great and constant. He rejoiced in the splendid reputation of the former, and was deeply concerned that the good name and high standard of the latter as established by the able judges of the past should not be lost or lowered in the years to come. His earnest hope for the profession was that there might be no falling away in the future from the confidence and respect enjoyed and deserved in the past. He believed that its integrity was more important than anything else, and constituted its surest protection and defense. If that could not be impeached, all other complaints could be successfully met,—all other criticisms easily overcome.

I have in this paper endeavored to describe some of the virtues and admirable qualities of our esteemed and lamented friend; and how inadequate and imperfect that description is, I know as well as anyone else.

In conclusion I wish to say that Charles B. Lore was in no sense a commonplace or ordinary man, either in appearance, temperament, habits, feelings or mentality. On the contrary he was striking, forceful, original and exceptional in many ways. His active life covered a period of more than half a century, but during all that time he was ever a good and useful citizen, equal to every undertaking, faithful and true to every trust.

He died at his home in Wilmington, March 6, 1911, universally respected and loved as a Christian gentleman, and as a type of Delaware's best men and truest citizenship. The end came to him as it must to all, and fortunate it will be for us if we are able to leave as good a record, as clean a life, and as fond a memory as he.

THE STAR PUBLISHING CO.
WILMINGTON - - DELAWARE

HOME OF RYVES HOLT
LEWES, DELAWARE

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE.

LXIII

Address Delivered at the Dedication of a Tablet Given by the Judiciary of Delaware and Members of the Delaware Bar in Memory of

RYVES HOLT

F161
D34
v.4

"Chief Justice of the Government of the Counties of New Castle, Kent and Sussex Upon Delaware,"

IN SAINT PETER'S CHURCH, LEWES, DELAWARE
ON SUNDAY, DECEMBER 14, 1913

BY

HENRY C. CONRAD, Associate Judge
Resident in Sussex County

THE HISTORICAL SOCIETY OF DELAWARE,
WILMINGTON.
1914.

Judge Conrad's Address.

We are gathered today on ground that for more than two hundred years has been consecrated to the service of Almighty God, and our object in assembling today is to bear modest tribute to a man whose mortal remains lie buried within the shadow of this ancient church.

It is not an easy task to gather up the fragments of a life that ended one hundred and fifty years ago, and the life itself not a conspicuous one, but a simple life, modest and unassuming, that was lived in the quiet atmosphere of this little seaport town, nestled so peacefully where bay and ocean meet.

American civilization in those days was confined to a narrow territory bordering on the Atlantic. The entire population of Sussex county in 1728 was estimated at 1,750, with fifty-eight families settled in Lewestown, making the population of that town about three hundred souls, it being then the largest and most important town in the county. The little shingle-covered houses lined the creek, that then as now flowed to the northward. It was then more of a stream and navigable for sailing craft of considerable size. The great marsh lay before the town, and stretched from the creek to the beach; and beyond was the bay and the great ocean. Nothing beyond the creek to impede the view, no breakwater, no piers, no sandhills. The Henlopen light

did not begin to shed its friendly rays until 1765, and the sandhills began to form themselves after that.

And to this place, sitting so lonely and isolated (the only approach really being by water) came in the early days of the eighteenth century, a youth named Ryves Holt. His home had been in Philadelphia, a hundred and more miles away, then a city of but 7,500 population. What attracted him thither we do not know. Lewestown was then the capital or county town of Sussex. The first court had been established at Whorekill in 1673. When he came a court house graced the main street, occupying about the present site of the rectory of this church, and a few hundred feet to the southeast, on the opposite side of the street stood the county jail. So that here the courts were held and once or twice a year the solemn court machinery was put in motion.

No strains of kindred seem to have called him here, as far as known no people of his blood were in this county. While I can find no record of his admission as a practicing attorney, I incline to believe that he was a member of the bar prior to coming to Delaware and the official stations occupied by him tend to strengthen this opinion.

Ryves Holt was married February 7, 1717, in Christ Church, Philadelphia, to Catherine Holt. He was then twenty-one years old. I assume that he came to Lewestown within a few years after his marriage. Under date of August 10, 1723, Ryves Holt bought from William Godwin a lot in Lewestown at the southwest corner of Second and Mulberry or Knitting street, having a frontage on Second street of sixty feet and a depth on Knitting street of two hundred feet. The house on this lot is still standing and is occupied by the widow of the late Charles Marshall. For

years this house was an inn or tavern, licensed as early as 1685 by Phillip Russell, who was the owner of the premises until August 8, 1723, when it was conveyed to William Godwin, who two days later conveyed it to Ryves Holt. The presumption is that in this house Ryves Holt lived during the remainder of his life. It is evident that Ryves Holt soon after his arrival forged to the front. At that time the Penns were in control of this territory and the people were subject to the English crown. In 1724 a commission came from the King to Ryves Holt as High Sheriff of Sussex county. In this place he served for twelve years. The office of sheriff was then of great dignity and importance.

The old records disclose an intermingling of public offices that we of today cannot understand. Possibly in the old days there was a scarcity of men of judgment and ability, for true it is that a man of prominence then seemed to be called to all the places and frequently filled two or three offices at the same time. So we find that Ryves Holt during the time that he served as High Sheriff was in 1727 and 1728 Collector of the Public Levy for Lewes and Rehoboth and Indian River hundreds, and a year later was made Overseer of the Highways for Lewes and Rehoboth Hundred. He also served as Justice of the Peace. For twelve years, from 1733, he occupied the important post of King's Attorney for Sussex county, was for two years, at least, Clerk and Prothonotary of the Courts, and served nine years, from 1738 to 1747, as Speaker of the State Council. That body exercising at that time, about the functions now embodied in the State Senate.

The fact that in so many ways Ryves Holt had found favor in the eyes of the Crown and his neighbors indicates

that he was a man of integrity and ability, a man who administered public office as a public trust and who won and held the esteem and confidence of those who had entrusted him with power, and so signally shown their faith in him, so it was not surprising that while still in the vigor of manhood there should come to him an appointment as Chief Justice, the highest honor in the gift of the Crown. He was then forty-nine years of age.

The earliest mention of the establishment of anything like a judicial tribunal in the region of the present Sussex county was about 1668. Scharf is authority for the statement that Francis Lovelace, one of the earliest governors under the English regime, was responsible for slowly but steadily introducing and establishing the judicial system of England into this territory to supplant the Dutch dispensation of justice. Scharf says it was gradually but shrewdly done and with no shock that unsettled the people, and that Lovelace did much to enhance the dignity of the bench and to hedge it round with all the pomp and circumstance of power, causing, among other things, that the King's arms should be emblazened in the sitting places of the courts and borne aloft upon the staves of the court officers.

It is an interesting fact and worthy of note that as early as 1684 the Supreme Court of the Province of Pennsylvania was established and in the latter year five Justices were appointed for that court, among them being William Clarke, who was named, not as Chief Justice, but as "Justice in General," and during his term of office which extended to 1707 he was called the "President of the Counties of Philadelphia and New Castle. There was at that time only two counties in the Penn government. This William

ST. PETER'S CHURCH
LEWES, DELAWARE

Clarke, who became the presiding judge of the first Supreme Court embracing this territory, was an early settler at Lewes soon after the occupation of the English, and was one of the magistrates, a surveyor and member of Penn's Council.

An Act, passed early in the term of Governor Patrick Gorden (1728 to 1738) provided for a Supreme Court as a distinct institution for the "three lower counties." It consisted of three judges, one of whom was to be designated as Chief Justice. Prior to that time all judges had been named as judges only, and the oldest became the presiding judge. The Supreme Court under this act was to sit twice each year in each county, the regular terms in Sussex being held in April and October.

The Commission of Ryves Holt as Chief Justice bears date October 26, 1745. It is recorded in the office of the Recorder of Deeds for Kent county and is in the following quaint and original shape:

"Counties on Delaware, S.S.

George the Second by the Grace of God of Great Britian, France and Ireland, Defender of the Faith and so forth, TO Ryves Holt of the County of Sussex on Delaware, Esquire, Greeting, Know that reposing special Trust and Confidence in your Loyalty, Integrity and Ability we have assigned and appointed and by these Presents do appoint you the said Ryves Holt, Esq., Chief Justice of our Supreme Court to be held for our Government, of the Counties of New Castle, Kent and Sussex upon Delaware, requiring you to do therein that which is right and according to the Laws of Great Britian, and our said Government ought to be done.

In testimony whereof we have caused these Letters to be made Patent. Witness George Thomas, Esquire, by virtue of a Commission from John Penn, Thomas Penn and Richard Penn, Esquires, true and absolute proprietaries of the said Counties and with our Royal approbation Lieutenant Governor and Commander in Chief of the Counties aforesaid and Province of Pennsylvania at New Castle the Twenty-sixth day of October Anno Domini One Thousand Seven Hundred and forty-five and in the Nineteenth year of our Reign.

Geo. Thomas."

Prior to that time all Judges had been commissioned simply as Justices, without designating either of them as superior in rank to the other, so that Ryves Holt was in reality the first Chief Justice to be so named. At the same time that he received the appointment of Chief Justice, Jehu Curtis and Nicholas Ridgely were named as Justices.

Jehu Curtis was a resident of the town of New Castle where he died in 1753. He served as Speaker of the Assembly and as Treasurer and Trustee of the loan office and was for many years a leading and influential man in New Castle county. He was buried in the graveyard of Immanual Church, and an epitaph on his tomb, written by Benjamin Franklin, speaks of him as "being prudent in counsel, upright in judgment and faithful in trust," all qualities essential to the successful judicial officer. Nicholas Ridgely was a resident of Dover, and the grandfather of Nicholas Ridgely, who for many years was the Chancellor of Delaware. Nicholas, the elder, was of the first generation of the Ridgelys in Delaware, and a man of sterling qualites, occupying in his time, many offices of trust and honor.

Ryves Holt seems also to have possessed the military spirit for, notwithstanding the multiplicity of offices that he was called upon to fill, he found time to act as the Lieutenant Colonel of the Militia Battalion for the County of Sussex on Delaware from 1756 to 1758, and later as Ensign. It will be noted that this service was rendered while he was filling the Chief Justiceship, a happy combination of legal learning and devoted patriotism.

In 1760 Ryves Holt was named by the Penns as one of seven commissioners to carry into effect the agreement that had, after many years, been reached between the Penn government and Lord Baltimore as to the establishment of the boundary line between Pennsylvania and Maryland. He was the only commissioner named from the three lower counties and this appointment would indicate the high esteem in which he was held, as the duties devolving on the commission were not only delicate and exacting, but paramount in importance.

The fact that under date of May 7, 1762, Ryves Holt was one of the grantees named in a deed from John Wiltbank of a lot of land in Lewestown, to be held in trust "for the use of the inhabitants of Sussex" for school purposes, shows his public spirit and his interest, even in those early days, in the important subject of the training of the youth in public schools.

His death occurred, presumably in Lewes, on May 8, 1763. He had been an inhabitant of the town for at least forty years. During all that time Lewes had been the county seat of Sussex, and by far the most important town in that county. Georgetown became the county seat in 1792. His duties as Chief Justice took him to Dover and New

Castle, and with his eighteen years of service on the bench he was doubtless widely known from one end of the State to the other.

A widow, whose name was Catherine, survived him. She outlived her husband eleven years. There seems to have been one daughter named Penelope, who married a man named Coward, and she in turn had a daughter Penelope, who married Jacob Jones, the father of Commodore Jacob Jones, who made a distinguished record and shed great lustre upon his native state by his gallant services in the war of 1812. The commodore always attributed to his stepmother any achievements he had made, saying she had been the inspiration of his life.

Whatever estate was left by Ryves Holt descended to his granddaughter, Penlope Holt Jones, who lived in or about Lewes, and died in 1790, and at her death she left her small belongings to her stepson, Jacob Jones, for whom she evinced much fondness.

A son of Ryves Holt, bearing the same name, died two years before his father in his twenty-second year, and lies at rest beside him in the churchyard attached to this church.

Visions of a man who had passed the three score years of life, and who leaned upon the strong arm of a promising son, just entering into young manhood, instinctively arise before the imagination, as one contemplates the graves of father and son, side by side; and the conclusion is irresistable that when death came, with cruel hand, and smote the young man, the father was sorely stricken because of the great sorrow that had fallen upon his life.

Ryves Holt was a man of religious tendencies. During his forty years of residence in this town he was a devout

worshipper in this ancient house of God. Among those who early ministered here was Rev. William Becket, sent by the Society for the Propogation of the Gospel in Foreign Parts as a missionary for the country round about with headquarters at Lewestown. He came about 1721. I am satisfied that he and Ryves Holt came about the same time. Between the two a strong attachment grew and in the labor and sacrifice given by this faithful minister in building up and extending the Master's Kingdom he had no more faithful friend than Ryves Holt. When money was needed for the building or enlargement of a church, or for the purchase of a home or a farm for the rector, the name of Ryves Holt appeared on the subscription list. He was abundant in good works, a pillar in Zion. And when at the end of twenty years of heroic struggle and the accomplishment of much good the faithful minister Becket came to the end of the earthly journey, he left to his "good old friend Ryves Holt the gold ring I wear on my ring-finger" as a token of the fidelity of his friend and co-laborer. As an official member of this parish for many years it seems most pleasing and appropriate that there should be placed upon these walls a tablet commemorative not only of his useful and honorable life, but of his Christian virtues.

When the towns-folk gathered about the open grave that had been opened to receive the mortal remains of the most honored and distinguished resident of the town on that May day a century and a half ago, and the priest in reverent tone repeated "Blessed are the dead who die in the Lord," there must have been a note of triumph in what he said for the speaker fully appreciated that the life of Ryves Holt

had been a life of service, a life consecrated to the Master's cause and to the betterment of mankind.

Time is remorseless. The years go by, and out from the "mists and shadows of the past" it is only the meagre and fragmentary facts that can be gathered. Much has been irretrievably lost, but gathering up the "fragments that remain" of the life of Ryves Holt, we see the outlines of a stately figure whose services as Chief Justice were in keeping with the dignity of the high station that he occupied; and there is nothing disclosed in the record that is left, but that affirms the belief that Ryves Holt in his day and generation was a worthy predecessor, in the exalted office of Chief Justice, of the many able and distinguished sons of Delaware, who, since his day have succeeded him, and who with becoming honor and ability have worn the judicial ermine.

SUSSEX COUNTY COURT HOUSE
GEORGETOWN, DELAWARE

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE
LXV

Addresses Delivered by

Chief Justice James Pennewill
Judge Victor B. Woolley and
Judge Henry C. Conrad

F161
D3 H
v. 65

At The Presentation of Oil Portraits of

John M. Clayton and Willard Saulsbury

—TO—

Sussex County, State of Delaware

June 29th, 1916

THE HISTORICAL SOCIETY OF DELAWARE
WILMINGTON
1916

THE STAR PUBLISHING CO.
309 SHIPLEY STREET
WILMINGTON - DELAWARE

EXPLANATORY.

In response to invitations that had been issued by a committee of the Sussex county bar, an audience of about four hundred persons, representing all parts of the county as well as other sections of the State, assembled in the Sussex county court room on the afternoon of Thursday, June 29, 1916, to participate in the formal presentaton to the county of oil portraits of Hon. John M. Clayton and Hon. Willard Saulsbury.

The presiding officer of the day was Judge Henry C. Conrad, who introduced Governor Charles R. Miller, who made a brief address appropriate to the occasion.

Chief Justice James Pennewill was next introduced, and in presenting the portrait of John M. Clayton read the address following touching the life and character of that eminent jurist and statesman.

Judge Victor B. Woolley then presented the Willard Saulsbury portrait reviewing in his paper the public career of the late United States Senator and Chancellor. The portraits were formally accepted in a brief address by the presiding officer.

ADDRESS OF CHIEF JUSTICE PENNEWILL.

There is no universal test of individual greatness, neither is there any generally accepted definition of the term; but it is very certain that no single state can boast of many men that can be called truly great.

As the word is commonly used it means something more than rare ability, or even leadership in business or professional life. A man's success may be incomparable, and his intellectual superiority freely admitted, and yet not be what the world calls great. To achieve that distinction in the popular mind he must have made an impression not only on his day and generation, but on the history of the State. His words and deeds must live after him, and therefore his greatness is not conceded until it is fully attested by the lapse of time. You and I can recall the names of persons who were exceptionally prominent, capable and useful in their community, but whose names were seldom mentioned a few weeks after death. It is said: "They will be greatly missed, and their places hard to fill," but we forget, and the world moves on just as well, if not better than before.

But there have been a few men in this State whose names time has not erased nor even dimmed. Their lives are still fresh in the memories of men and women living generations after them, and their public services are permanently written in the history of the Commonwealth.

What made these men great and unforgotten? In private character they were not above many of their contem-

poraries of whom we scarcely ever heard. Intellectually they were not superior to some others, and were not more useful or valuable to their community.

We are sometimes inclined to ask, as Shakespeare did: "Upon what meat doth this, our Cæsar, feed that he is grown so great?" It is impossible to describe the qualities that enable men to acheive greatness. Intellectual power and aggressiveness are undoubtedly required, but opportunity is just as essential. This is sometimes made by the individual who profits by it, but it is more frequently made for him. We know of men who are much in the public eye and favor, who would never have been known to fame if some combination of circumstances had not given them a chance to show the ability they possessed. And with the circumstances that gave them their opportunity they had nothing at all to do.

Luck or good fortune is a considerable factor in the success of such men, but it is not the most important one. The person who possesses the elements of greatness must have the faculty of recognizing his opportunity when it comes, and the ability to use it before it goes. And, moreover, he must have the rare power of attracting and holding the confidence and admiration of the people in a marked degree; and be able to lead them on to contest and success. He must accomplish a work that appeals to the people both far and near, or be a leader in some movement that is close to the popular thought. He must appeal irresistibly as well as convince the reason of his fellowmen. He must be able to accomplish things that awaken the admiration of the nation at large, for no man has ever achieved

greatness in the popular sense whose fame did not extend beyond the limits of his State.

The qualities I have mentioned were possessed in an eminent degree by John M. Clayton, the subject of my address.

It is not possible in the brief time I am expected to occupy, to even refer to the speeches he made and the cases he tried, or deal with my subject except in the most general way. And it is not at all necessary that I should do anything more, because in the paper read before the Delaware Historical Society by Hon. Joseph P. Comegys some years ago, the life and character of John M. Clayton were fully and ably portrayed.

That paper was written by one who had lived, during his early manhood, in most intimate relations with Mr. Clayton. He was a student at law in his office, as well as a personal friend; and his wife was Mr. Clayton's niece. The student regarded his preceptor as one of the greatest of men, and the impression made upon his mind then was confirmed and strengthened in later years. He considered John M. Clayton not only the greatest man the State had produced, but one of the greatest the nation had ever known. But while his "Memoirs" were written in a spirit of sympathy, love and pride, the facts he related are historically true.

Like most men who achieve great distinction, John M. Clayton was, in his boyhood, very like others of similar age and condition. While very bright and clever for his years, he gave no special indication then of the force and ability he manifested in later years. So far as we know he was neither abnormal nor precocious, and fortunately too, for if he had been, it is more than probable that the strong

common sense that was so conspicuous in his maturer life would have been lacking in a great degree.

He was, however, different from many others in this,—that he had the opportunity to obtain a collegiate education, and university training for the bar. Fortunately for himself, nation and State, he had the good sense to take advantage of his opportunity. He graduated from Yale College with the highest honors of his class, and two years later completed a successful course at a law university in the same State.

With this splendid equipment for his chosen profession, Mr. Clayton was admitted to the bar in this county after reading for some time under the guidance of his cousin, Thomas Clayton, in Kent. He practiced his profession in Dover for many years, but later in life moved to the county of New Castle.

It is not surprising that he was appointed Secretary of State, elected State Auditor, became a member of the General Assembly, and filled other offices of lesser note while yet a young man. It was almost certain that such honors would come to one so well equipped.

John M. Clayton was blessed by nature in many ways. He was possessed not only with a strong mind but also a splendid physique. Physically he was large, powerful and attractive; and in manner and address gracious and charming. He was not only a strong man, but wonderfully natural and easy in his intercourse with other men, and this quality contributed more than a little to his success in public life. He could adapt himself to any condition, and was perfectly at ease with his fellow citizens of every class. There was nothing he enjoyed more than a friendly talk—

a social time. His splendid education and rare ability made no barrier between himself and the humble, uneducated citizen. He was a good judge of human nature, and was able by his personality as well as his intellect to draw others to himself. One of the pictures that comes before the mind when contemplating the private life of Clayton, is a scene in his office on Dover Green when playing the violin, for the edification of a group of admiring friends. It is not at all likely that he was an expert violinist or accomplished musician, but the skill with which he played on the strings of that instrument was typical of the success with which he could play on the feelings of his fellow citizens.

To his office came the leaders of the Whig party from every part of the State, to learn political wisdom from one of the most consummate political leaders the State had ever known.

While yet a comparatively young man his reputation as an able and successful leader had begun to grow; he was making a deep impression upon the minds of the people, and evidencing the mental power, physical force, and personal charm that gave him in later years a commanding influence in nation as well as in State.

Like all great party leaders he was terribly aggressive, and this quality, supplemented by unlimited confidence in himself, and the power of his will, was sufficeint in most instances to overcome all opposition, and convince his followers that he was almost infallible, if not omnipotent, in public affairs.

This was clearly illustrated in the Constitutional Convention of 1831. That was a meeting of some of Delaware's best and strongest men. Some of them were perhaps Mr.

Clayton's intellectual equals, but from the time of the adoption of the Constitution till now, it has been regarded as John M. Clayton's work. It was a splendid organic law, not only for the time in which it was made but for generations afterwards. It was peculiarly adapted to the requirements of our State, and perhaps better promotive of its welfare than any other than could have been made. After the lapse of nearly seventy years this fundamental law was superseded, but not very greatly changed by the Constitution of 1897.

The scheme which the master, constructive mind of Clayton evolved remained singularly intact, and the able men who were the leaders in the last convention did not find much room for improvement or reason for change.

Unquestionably Clayton dominated the convention of which he was a member, and its work was his offspring—the result of his personal influence, intellectual power, aggressive will and eloquent speech. His greatest service to the State was rendered in the making of the Constitution that is called his own, and his name will be longer perpetuated in the history of the Commonwealth by that service than any other he ever performed for his State.

I am not attempting to draw a picture of the perfect man. Mr. Clayton had his limitations, imperfections and weaknesses, of course, but it cannot be truthfully said that he ever intentionally injured any man in person, reputation or estate. "History leaves no stain upon his character." But he was strong both in his likes and dislikes. His attachment for his friends, and appreciation for favors shown often caused him to go far and do much to make a just return. Disloyalty and ingratitude gave him much distress

but never made him vindictive or malicious. He had no disposition to punish, but an inclination to let the ingrate or traitor alone when once perfidy was shown. Ingratitude and insincerity were then as now, to manly minds, two of the blackest of human traits.

In his contests at the bar as well as in public life Clayton fought strong and fair. A private enemy he never cared to injure, but a political opponent he would sometimes crush if he believed it necessary for the success of his cause.

Mr. Clayton was never connected with any church or religious congregation, but we are assured that he "was a believer in every article and creed of the Christian religion; and had no respect for, or patience with, the sentiments of its opponents."

It was said after his death by those who knew him well that he died in the full possession of the Christian faith and hope. From the time of his admission to the bar till his death, there is nothing to indicate that Clayton ever used his talents for the promotion of an unworthy cause, or prostituted his great influence in the advancement of the wrong. He may have made mistakes of judgment, as any one will, but he worked for what he believed to be best for his nation, State and fellowmen; the best of mortals could not do more.

Upon the appointment of Mr. Clayton to the office of Chief Justice, his life as a practicing lawyer virtually ended. On account of his ability and reputation he was sometimes retained in very important cases after he resigned from the bench, but was no longer regarded as engaged in the active practice of the law.

In forming an estimate of John M. Clayton, as a lawyer,

it should be borne in mind that he was at all times in fierce competition with members of the bar as able, brilliant and resourceful as this State has ever known. They were foemen worthy of any man's steel. Leader, however, he undoubtedly was, and leadership in his day meant extraordinary ability and power. The Kent county bar contained such eminent lawyers as Henry M. Ridgely, Thomas Clayton and Robert Frame, and never in its history has it been composed of stronger men. But Clayton's professional services were not confined to his own county. Frequently was he opposed by James A. Bayard, James Rogers, George Read, Jr., Elisha D. Cullen and other able and eminent lawyers from other parts of the State.

The impartial historian would not say that John M. Clayton was the superior of all these men in legal knowledge or intellectual strength, but when judged by all the qualities that go to the making of a successful practitioner, he was unquestionably supreme in his day. It is possible that some other member of the bar was able to make a more learned and effective legal argument, for the law has always been a jealous mistress, and Mr. Clayton's mind was not upon his cases alone. He was quite as much interested in politics, and moreover, he was credited with exceptional industry. He was a prodigious worker when interested in a case, but his social qualities and political activities were not always conducive to the isolation of the student or concentration of thought upon the law.

But he was, nevertheless, the leader of the bar in popular estimation because of his wonderful influence with the jury. As an advocate he was certainly without an equal in the State, and his supremacy in that regard has never been de-

nied. He combined everything that was necessary to the making of the finished and effective speaker. Personality and voice fitted the part; and his vigor, diction, magnetism, wealth of illustration and command of language made the picture complete. Mr. Bayard said on one occasion he did not believe a jury lawyer superior to Clayton has ever lived in this country.

In the examination of witnesses he was as successful as in his arguments to the jury; and we wonder sometimes if this art, of which Clayton was such a master, is as well understood, and as skilfully employed now as in his day. He did not waste any time in a palpable effort to confuse a witness when trying to tell the truth, or by asking questions that had neither purpose nor point. And I have been told that he never abused a witness unless it was manifest that he was testifying falsely or endeavoring to suppress the truth. If an adverse witness had done him no harm he let him alone; and any trial lawyer knows the wisdom of such a policy even if it is not always pursued.

The examination of a witness is a fine art, and the skilful examiner is rare. Clayton knew its importance, and employed it with great success, depending largely upon these two essential things—knowledge of human nature, and the saving quality of common sense.

Probably the most important case that Clayton ever tried was the "Randel case," which was notable for more reasons than one.

Mr. Comegys in speaking of that case says: "No finding of such magnitude, for merely unliquidated damages, had ever been rendered in the United States."

It has been something more than a tradition in the Kent

county bar, that Mr. Clayton received for his services in the Randel case the largest fee ever paid to an attorney of Kent or Sussex before or since.

The same case furnishes indisputable proof that Clayton was remarkably proficient in that branch of the law which furnishes perhaps the most crucial test of a lawyer's intellectual strength, viz: Special pleading. There may be such a thing as talent or natural aptitude for this abstruse and intricate branch of common law; but observation, as well as experience teaches us that the members of the profession who excel therein, have not only real ability, but have been diligent and faithful students of the law. They are the ones for whose attainments the members of the profession entertain the highest respect, because they know that first-class pleaders are exceedingly rare.

The Randel case was perhaps more prolific of pleading than any other in our reports, and Mr. Comegys says that all the pleadings on the side of the plaintiff were dictated to him by Clayton without any book before him, and that no other person had anything to do with their preparation; that they were assailed by lawyers as able as could be found at any bar, and in the main were sustained by a bench than which no State had then a superior.

After he had practically retired from practice Mr. Clayton was induced to represent the government in a controversy with the State of New Jersey, in a case involving the title of Pea Patch Island. In its conduct he had as associate Mr. James A. Bayard, and it has been said by competent authority that this case "will ever be a monument to the learning, industry and ability of these two great law-

yers, and there are few cases in any reports that show as much legal capacity and skill."

In closing my remarks upon John M. Clayton as a lawyer, I wish to speak briefly of his method of studying and preparing his cases. It appears from Mr. Comegys' paper that he was not a case lawyer in the ordinary sense. He did some original thinking, and resorted to text books and reported cases after he had made up his mind what the law ought to be. He then hunted for the law to support his conclusion and generally found it. He did not want to be confused by very many cases, usually conflicting, and therefore first subjected the question to the careful analysis of his own reasoning, common sense and general knowledge of the law. Who will say that his method was not the best? If it was the best in his day, would it not be so now when text books and cases are often cited in such overwhelming numbers as to embarrass, rather than assist the court in reaching a correct conclusion? I need not say much about John M. Clayton as a politician or statesman. His public life and services are better known than his personal qualities or professional accomplishments. Any Delawarean who is acquainted with the history of his State and country, knows something about Clayton's prominence and influence as Senator in Congress and as Secretary of State under President Taylor. He entered the Senate when only thirty-three years of age, and in a very few months thereafter made a notable speech on the Foote Resolution, in the course of which debate Webster, by his masterly effort, accomplished perhaps the most valuable work of his life. In his first year in the Senate, Clayton made a reputation as a debater amazing for one so young and new; and before the

end of his first term was recognized as one of the national leaders of the Whig party, one of the strongest debaters on the floor of the Senate, and one of the ablest statesmen of the country. As a Senator he actively participated in the discussion of all important public questions that arose. Mr. Seward said that on one occasion Clayton gave him this advice: "Do not seek great occasions on which to make great speeches—one in a session of Congress—but perform your duty to your constituents and your country by debating all important subjects as they occur." And he further said: "Although surrounded by mighty men in argument and speech, John M. Clayton was one among the few effective statesmen who determined or influenced the administration of the government of this great country."

After serving a little more than one term in the Senate, Clayton seemed to become tired of political life, and resigned his office, either for the purpose of enjoying private life, and its peaceful pursuits, or to enter upon what he thought would be the more congenial duties of a judge. At any rate, in a few months he was appointed Chief Justice of the State, but retired from that position in less than three years. He performed his judicial duties in an admirable manner of course, but his tenure of the office was so brief that he made no exceptional reputation or record as a judge. He enjoyed for the ensuing six years, that which he had probably been looking and hoping for so long—the rest and comforts of private life. But he was comparatively a young man still, and it is not surprising that he should again enter upon political life. We wonder sometimes if any man who has once been active in such a fascinating game is ever content to leave it for good and all?

Mr. Clayton was returned to the Senate in 1842, and in 1849, because of his recognized ability and great reputation as statesman and counsellor, was appointed by President Taylor his Secretary of State. The death of the President in 1850 placed Clayton again in private life, from which he probably would never have departed except for an occurrence which surprised the nation, stunned the Whig party and angered Clayton and his friends as nothing else had ever done.

While Secretary of State, Mr. Clayton negotiated with Sir Henry Lytton Bulwer, the British Minister, the convention known as the Clayton-Bulwer Treaty, whereby Great Britain withdrew all claims to certain territory in Central America. That the farsighted statesmanship of Clayton had realized the importance of a ship canal across the isthmus, and the menace of the continued power of Great Britain in Central America to our California possessions, was evidenced by a resolution he offered in the Senate fifteen years before.

On January 6, 1853, Senator Cass of Michigan, made an attack on the treaty referred to, and especially on Mr. Clayton, its negotiator, on the part of our government. He charged Clayton with compromising his government by recognizing the British title to certain territory not included in the treaty, and also with making a false representation as an excuse for his compromising act. How could Mr. Clayton answer these charges and vindicate his honor, as well as his most important official act? He was no longer a member of the Senate, and his party was not in full power in the State. But to the credit of his State partisan politics were for the time put aside, and Democratic Senate and

Whig House met and returned him to the Senate of the United States in order that he might in that forum vindicate his own integrity as well as the honor of the administration, party and State he had so ably represented. His defense was brilliant, and successful, according to the concensus of the fair and intelligent opinion of the day.

Relative to the treaty itself, Senator Seward in speaking of the death of Clayton, said: Whatever difficulties have hitherto attended its execution, whatever difficulties may attend it, the treaty itself is the bow of promise of peace, harmony and accord to all nations, as it is an imperishable monument to the fame of him whose worth we celebrate and whose loss we deplore."

John M. Clayton was a strong advocate of a protective tariff, and a supporter, second only to Clay, of the Compromise Act of 1833. He was an uncompromising foe of corruption in the public service, and as favorably disposed to the idea of civil service as any public man of his day. At any rate he was strenuously opposed to removals of public officials by the Executive without cause, but realized that there was no power to prevent it.

I might very well conclude this inadequate sketch of John M. Clayton by quoting these words from the inscriptions found on the elaborate and costly monument erected to his memory in the Presbyterian Churchyard at Dover:

> "His public services are part of his country's history. His private virtues are enshrined in the hearts of his friends."

But I am tempted to say a few words more, suggested by the life and character of this great Delawarean.

I do not attempt to fix Mr. Clayton's place in history,

nor will I say he was the greatest citizen the State has produced. But he was a great man in nation as well as in State; and in a company of giants, as he usually was, he was never considered the least. Mr. Bayard said in his memorial address: "It is no slight evidence, however, of the highest order of merit, that a young man coming into public life as the representative of one of the smallest states, at a time when such men as Calhoun, Clay and Webster were in the zenith of their influence and power, should rapidly acquire a national reputation, and become one of the acknowledged leaders of the great party to which he was attached."

Like very many other public men of great prominence and ability, Mr. Clayton often longed for the quietude of private life—the comforts and consolations of the home. His disposition, so often manifested, to quit the turmoil of politics and retire to his beautiful Buena Vista farm, indicates that the greatest success of men in public life, and all that reputation, honors and fame can bring do not satisfy the cravings of the soul. Even in life and strength they long for the loving touch the soil can give, the sweet companionship of mother earth. They want, as Mr. Clayton did, to see the crops grow, the flocks increase; and find more genuine comfort and satisfaction in the quiet duties of husbandman on the farm than they ever discovered in the ephemeral victories of public life. Their supreme desire seems to be to withdraw from the suspicions, envies and ingratitudes of men, get right close to kindly nature in her loveliest form of wood and field, and assist her in producing something that is always a blessing and never a curse.

A little while before his death, Mr. Clayton came back to Dover greatly impaired in health, with these words upon his lips: "An old man broken with the storms of State, is come to lay his bones among you." He died at the home of Mr. Comegys, his true friend and ardent admirer. No doubt he knew when he returned to Dover that the end was near, and wanted to be with his old friends and amid the old scenes when the final summons came. He had not then many relatives or friends who were very close. Indeed, during the greater part of his life he had been a man of sorrows because of the early loss of those he held so dear. His wife died a little more than two years after their marriage, and he never recovered from the blow. His two sons—his only children—died in early manhood, and upon one of them especially his hopes were builded high. Thereafter, in a sense, Mr. Clayton "stood isolated in the world."

It is impossible to measure the value of a career like his. We cannot tell what good the life of John M. Clayton did, but we do know that it should be an inspiration and a hope to the young men of our State. He was born in a small village in this county, and so far as we know there was no influence or extraneous help that contributed much to his success. Great ability he had, with charm and beauty of person and speech, but these assets valuable as they are, would never have accomplished much without the power to make them pay.

He was not at first compelled to work, and might have been content to settle down to a quiet and futile life, as many other young men of splendid natural abilities do. But he was ambitious to accomplish something in the world, and early realized that a good education was the most im-

portant help that he could have. And having secured it, his self confidence, ability and determination to win accomplished the rest, to the honor of himself, his nation and his State. No we cannot estimate the value of any life, but this we think is true:

"If a star were quenched on high, for ages would its light
Still traveling downward from the sky, shine on our mortal sight.
And so, when a great man dies, for years beyond our ken,
The light he leaves behind him falls upon the paths of men."

ADDRESS OF JUDGE WOOLLEY.

On behalf of another, I present to Sussex county this portrait of Willard Saulsbury. It is a fitting honor to one who has rendered conspicuous service to clients and State, that from these walls his pictured countenance should look down on one of the scenes of his labors, and thus keep alive in the traditions of the county the memory of an eminent son. But this portrait is something more than a tribute to the dead or a sentiment of the living. It has a value to future generations of lawyers and judges, who may look upon it and compare the person and countenance with the sentiments and conduct of a strong lawyer and an upright judge, and draw from it inspiration to the faithful discharge of professional and judicial duties.

In presenting a memorial of the life and character of Willard Saulsbury, the elder, in a manner appropriate to this occasion, I will not attempt a portrayal of his personal qualities or a recital of his public career. I venture an estimate or rather an appreciation of the public services by which he has been and will be known to the people. I prefer, if I may, to portray the spirit of his life in relation to the people he served, leaving to the biographer the important events in which that spirit shone.

Willard Saulsbury was born on June 2, 1820. His collegiate education was acquired at Delaware College and Dickinson College. He pursued the study of the law under

James L. Bartol of Denton, afterward Chief Justice of Maryland, and later under Martin W. Bates, and was admitted to the bar in 1845.

Within five years of his admission he was appointed Attorney General of Delaware. In 1859, he was elected by the General Assembly of Delaware to the United States Senate, and was re-elected in 1865, and concluded his service in that body in 1871. In 1873 he was appointed Chancellor of the State of Delaware, in which position he continued until his death on April 6, 1892. These dates are the mile stones in his career, and these are the public offices in which he rendered distinguished public service.

The dominating sentiment in the life of Willard Saulsbury was the law, which he viewed not as an arbitrary rule of conduct, but as an expression of justice and the foundation of all human relations. He pursued the law with equal interest through its enactment, its interpretation, and its enforcement, and visualized it in the public offices which he occupied as prosecutor, legislator and judge. But beyond these, he had an intimate and human relation to the body of the people, whence springs the body of the law. He knew their habits of thought, their moving impulses, their basic instincts.

He thus came to know the law, its reason and its purpose; he knew it thoroughly, in a sense, lovingly; he knew it as one knows his friends or his children, in a very live and real way, and in its broad relations he imparted to it a sense of life and reality.

Willard Saulsbury's growth and life in the law may be attributed to two things, first, his personal qualities, and, second, his knowledge of the people that he served.

He was a man of singular personal charm. Vigorous as an advocate and fearless in debate, standing high in distinguished positions, there was in him, nevertheless, a simple dignity, the quality of intimacy without familiarity, a genuine cordiality, that quickly won friendships for which men of other natures had to struggle. He was at ease in the councils of the nation, and was equally at ease in talking with the shiest of young men and with the plainest of citizens, without condescension and without strained formality. To these qualities the people opened their minds and hearts, and, looking in, he saw and learned their thoughts and feelings and the source as well as the effect of the law.

His knowledge of the people of the State and his adaptability to their habits of life were of unusual advantage to him when he became public prosecutor. As Attorney General, he tried and won a number of causes that are still celebrated in the criminal jurisprudence of the State, notably the case of the State vs. Windsor. In the trial of that cause he was opposed by David Paul Brown, then admitted to be the foremost criminal lawyer in the country, and by the late Judge Houston, who was then at the height of his very distinguished professional career. To be opposed by such adversaries was in itself a distinction. His term as Attorney General was a period of preparation for a wider practice at the bar, which gradually extended throughout the State. During his career as a practicing lawyer there was scarcely a cause of importance tried in Sussex county in which he was not of counsel, though this is not an unusual distinction for a Sussex county lawyer.

The office of Attorney General was the medium of his introduction to the people of the State in a public way, giving

him a broad acquaintance and firmly establishing a large personal and political following, resulting in a few brief years in his election to the United States Senate.

Willard Saulsbury entered the Senate on the eve of a great national crisis. During his first term the nation was in the stress of war; during his second, it was undergoing the strain of reconstruction. During both terms the nation was shaken to its foundation. War brought its lawlessness and its accompanying temptation to meet lawlessness without regard to law. The prospect of war aroused his patriotism, but he was as greatly stirred by threatened invasions of the law as by threatened invasion by troops. Attack upon or disregard for the law alike set aflame his devotion to the law. Above the noise of passion and confusion of counsels of that day, his voice could always be heard calling for and demanding the maintenance of the law in its integrity.

He early took a position upon the issues of the war to which he steadfastly adhered to the end. Just preceding the war there was a large union meeting held at the City Hall, in Wilmington. This gathering was unusual not only because of its size and occasion, but because of the men who participated in it. It was opened with prayer by the Right Reverend Alfred Lee, and was presided over by Willard Hall, then judge of the Courts of the United States for the District of Delaware. The meeting adopted a resolution against secession, opposing all conduct tending to the dissolution of the Union and urging upon the Congress the maintenance of the principles of the Federal Constitution. The meeting was addressed by Daniel M. Bates, then District Attorney for the District and afterward Chancellor of

the State of Delaware, and by Joseph P. Comegys, afterward Chief Justice of the State of Delaware, and a communication from Willard Saulsbury, then a Senator of the United States from Delaware, was read. The position of Willard Saulsbury with respect to the momentous issues then forming may be gathered from the views he there expressed. He had already declared himself to be unalterably opposed to the dissolution of the Union. Upon entering the Senate he announced: "I am one of the Union Senators on this floor; my State is in favor of the preservation of the Union." He dissented from the doctrine that a State had a constitutional right peaceably to secede from the Union, saying at the Wilmington meeting:

"Our fathers did not establish a league or form a treaty between the States. Had they done so, it would not have been competent for a State to have annulled such league or treaty at pleasure. They formed a *government* to which within the extent of its delegated powers the people of each and every State owe obedience. It has the constitutional authority to execute those powers without let or hindrance of individuals or States. The Federal, like the State government, operates upon individuals. No State has the power to release its citizens from their obligations to the Federal Government."

This view of our government and of the theory of its formation, declared by Willard Saulsbury before the war, was afterwards established by force of arms and is now everywhere recognized by force of the sentiment of a united country.

While striving for the preservation of the Union, he vigorously opposed all actions which he considered unconsti-

tutional or which he conceived tended to dissolution, whether they emanated from the north or the south. He stood between those Northern States which were restive under constitutional restraint, and the Southern States which disregarded that restraint altogether, and he was as impatient of the conduct of one as that of the other when it threatened or invaded the Constitution.

The habit of the lawyer dominated him, causing him clearly to see that the Constitution was the only thing that cemented the States and held them together, and that the disintegration of the Constitution would inevitably be followed by the dissolution of the Union. He stood for the Union through the Constitution, that is, through the law, and characterized as disunionism any attack upon the law from whatever section arising. He stood for the Union first. To that all other matters were secondary; and not unlike one of the alternative positions in this regard which Mr. Lincoln expressed in his letter to Horace Greeley, he opposed emancipation of the slaves as a consideration paramount to the preservation of the Union.

In that great war, theories of government were tried and decided as well as battles fought and won. The position in that conflict which Willard Saulsbury gave to the State he represented, is reflected by his words, addressed to the Senators from other States: "Delaware was the first to adopt the Constitution and will be the last to abandon it."

The Court of Chancery of the State of Delaware is a court of extensive jurisdiction. It is presided over by the Chancellor, a judge vested with unusual powers of discretion and decision. The original of that court was the Curia Regis, the great court of England in which the king ad-

ministered justice in person, assisted by his counsellors. The jurisdiction of the Court of Chancery is in equity. In the broad sense in which the term is used, equity signifies natural justice; in its more limited application it denotes equal justice between contending parties.

The function of all courts is the administration of justice. Justice administered in a court of law differs from that administered in a court of equity, not in its quality, but in its subject matter and in the processes by which it is attained. That attained by a court of law is limited by the principles of the common law, which are to a great extent positive and to a degree inflexible. That administered by a court of equity is more elastic, embraces a wider range, reaches deeper into the relations and actions of parties, and extends beyond the determination of what is right to the prohibition of what is wrong.

While equity means "natural justice" it is not such as is reached by the whim of one who for the moment is charged with its administration, as thought by some, or without regard to established principles, as desired by others, but it is justice founded upon rules of reason and upon principles that have become established truths. These are called equitable doctrines.

Equitable doctrines are of no especial antiquity. All have not the immemorial usage of the principles of the common law. They are born by occasion, modern as well as ancient, and when brought to light constitute the discovery of unknown truths or of new ways of applying known truths. They are progressive, being altered, improved and refined from time to time to meet altered and changed con-

ditions. They form a large and vital part of what is generally termed—the body of the law.

The body of the law is the assembled expression of the people's will, authoritatively declared for their governance and guidance. It has stood through the centuries an immutable record of human conditions, and its growth and change from time to time reflect the thought, the needs and the advance of the human race. "It is," as Sir Frederick William Maitland said, "not such a metaphor as an expression of a fact, a body of which every atom is subject to change, decay, repair, and yet the body remains the same." To the body of the law every age contributes and upon it every judge makes his impress, great or small, for good or ill. It is an all pervading, intangible, living, growing thing, which, consciously or unconsciously, bears upon and influences every life and every relation.

It is in the body of the law that justices resides. It is there ready to be administered, when invoked; but it is there in the abstract. Its administration devolves upon the judge, a human instrument, and the quality of the justice he administers is largely affected by his qualifications.

He must, of course, know the law, for without knowledge of the law it is impossible for him to know what it affords. But in the judicial administration of justice vastly more is required than knowledge of the law.

" 'Tis but half a judge's task to know," was said long ago. To find what was the law, is simply a matter of industry; to find what it is in a given case, how it bears upon litigated and related matters, how it affects the present and influences the future, and how, in it all, exact justice is to

be done, are tasks that require of a judge something more than knowledge.

He who administers justice must have character. As between parties he should maintain a cold impartiality; with respect to matters submitted to him for decision, he should be able to approach them with indifference to every consideration except to reach a right and just conclusion.

He must have patience, not forgetting the trials and vexations of the practicing lawyer, and not forgetting how vitally important the issue is or seems to the litigants.

He must have industry, that he may reach the very heart of the case, and he must work with infinite pains to get out of it everything that is in it and nothing that is not in it. There should be uniformity in the quality and measure of his labor. He should not be profound today and superficial tomorrow, nor in his interpretations should he be lax at one time and incline at another to hard constructions and strained inferences, for then the body of the law, which is affected by his every act, suffers.

He must be in touch with humanity. He must know the people and the times, and be able to discern changes in both, in order to apply old principles to new conditions and to keep the law abreast with the advance of men. He must have comprehension. He should strive for what Solomon so earnestly prayed for,—an understanding heart, a heart that beats with the hearts of others and comprehends the motives and impulses of the good and bad, the strong, the weak. And in comprehending human infirmities and limitations, he should search for his own, and find them, and watch them always. Especially should he have a humility that prevents him being misled by wilfulness or vanity. He

should, in truth, cultivate "the grace to hear patiently, to consider diligently, to understand rightly and to decide justly." Such a judge was Chancellor Saulsbury.

ADDRESS OF JUDGE CONRAD.

A distinguished jurist, an ex-judge in a neighboring State, in writing to me last week, regretting his inability to be present here today, said:

"It is a genuine pleasure to me to see a State honoring the names of her great men by perpetuating their features in places of public assemblage. It is a just tribute to departed statesmen; and it stimulates the ambition and patriotism of succeeding generations, especially the impressionable period of youth and early manhood."

The judge expressed in language both concise and beautiful the idea embodied in this occasion. In the presence of the Governor, surrounded by all the law judges of the State, on ground that more than a century ago was dedicated to public use as a temple of justice this goodly company has assembled to pay deserved tribute to two men who in days past wrought well and rose to high place among their fellows.

The one, born on Sussex soil, reared in the narrow confines of a typical Sussex town, under the tutelage of a worthy father, who as a prosperous business man had the respects of his neighbors, and with the gentle training of a mother who bore the badge of exalted Christian motherhood. Then came his education at the old academy at Lewes and a full course at Yale College. After three years

of law study, under his distinguished cousin, Chief Justice Thomas Clayton, claimed to have been as profound a lawyer as ever practiced law in Delaware, John M. Clayton entered upon his life work. That was in 1819. He had personal appearance, a face and figure that attracted, and a voice that was both winning and commanding. He had brains that had been educated, a will that was aggressive and the native industry that does not flag. With this equipment was it any wonder that for the next thirty years he was the commanding figure in the political life of his State? He won because he deserved to win, and it was solid worth and ability that led "listening senates to applaud" and the great men of his time to call upon him for advice and counsel.

The second man represented in the portraits before us, first saw the light in the county of Kent, only a little way from our county border, but after the country school, the college, and the full three years of law study had given him a life equipment, he came to the county seat of Sussex intent upon working out his salvation. Sussex then as now was an almost exclusive rural community. The crops were the staple ones. It was before fruit raising had begun in earnest. The field for a young lawyer was a limited one, but Willard Saulsbury, like Clayton was gifted by nature with a handsome face and with a personality that was magnetic. His ability was recognized at once and while yet in the twenties he boldly challenged for leadership the older heads who for a decade and more had been in undisputed control of the political party to which he gave his allegiance.

When only 29, and after only five years at the bar, he be-

came Attorney General, and ten years later he was elected United States Senator. For eighteen years he was Chancellor of the State. A career of thirty-five years of responsible public life. That was his record. He too won because he deserved to win.

Through the generosity of two of the patriotic kinsfolk of these two distinguished statesmen, we are able to place on the walls of the remodeled court room of Sussex county, handsome oil portraits showing the features of those whose lives and character have been so ably and fully reviewed in the addresses of presentation that have been made today.

The portrait of John M. Clayton is the gift of Mrs. Margaret Douglass Buck, wife of Francis N. Buck, Esq., and daughter of James Clayton Douglass,—the latter being a son of Harriet M. Douglass, who was the sister of John M. Clayton; Mrs. Buck being the grandniece of John M. Clayton. The portrait was painted several years ago on the order of Mrs. Buck's father, and is reckoned one of the best that exists. I know of no other oil portrait of Mr. Clayton in this county, so it is most gratifying to the court and bar of the county to have the portrait and I take great pleasure on their behalf in extending to Mrs. Buck our grateful acknowledgment for her kind and valued gift.

The portrait of Willard Saulsbury, is the gift of his honored son, Hon. Willard Saulsbury. The portrait was painted while Mr. Saulsbury was in the United States Senate, and it comes from the studio of a Wilmington artist. It represents him in the prime of life, and while his home was in Georgetown, it is particularly appropriate that it should grace the walls of the court room of his adopted county, where his early triumphs as an attorney were

achieved and where for eighteen years he occupied with acknowledged ability and impartiality the highest judicial position in the State, balancing with rare judgment the scales of justice so that all men could say "here indeed was the just and upright judge."

So that today speaking for the court and bar, I can say that we feel under many obligations to Senator Saulsbury in acceding so willingly to the request that in this room should be placed a portrait of his able and distinguished father, the Chancellor. Here it will remain, as we may hope, long after we of today have passed off the stage of action. We thank Senator Saulsbury for his gift.

To Chief Justice Pennewill we extend our thanks for his presence here today, and for the most entertaining and inspiring review of the life of John M. Clayton, which he has given us on this occasion. Our Chief Justice is always welcome in his native county.

To Judge Woolley we also are indebted for his full and complete memoir of Chancellor Saulsbury. I am sure it has charmed and edified this large audience, and we thank him for it. Judge Woolley has a warm place in the hearts of the people of Sussex county, the county in which the judge's boyhood was spent.

Governor Miller has honored us with his presence today and we thank him for coming and assure him of our hearty good wishes.

We are living in an age of intense activity. The simple life has given way to the strenuous life. The sentimental, the reverential is being crowded out by the absorbing practical. The men whose features are shown in the portraits that are presented today, lived in a time when there seemed

to be other ambitions than the accumulation of millions, a time when the practice of law, and the profession of statescraft were honored among men, and the world had not given itself over to the money lust and the commercialism of today.

And so it seems to me that in this quiet sheltered community in which we live, it is well for us to take pause, and by recalling the statesmanship, the legal ability and learning, the virtues and accomplishments of those, who in other years have wrought and won distinguished place, take fresh courage for the future, for ourselves and our children.

No. LXVII

General Alfred T. A. Torbert Memorial

F 161
D 34
v. 4

BY

GEORGE ALFRED TOWNSEND

Taken From

The Army and Navy Journal
November 13th, 1880

PUBLISHED BY THE
HISTORICAL SOCIETY OF DELAWARE
1922

The General Torbert Memorial

[The following memorial of Gen. Torbert is published by arrangement with the committee having charge of his funeral services. They have chosen this method of publication in preference to a pamphlet issue, believing that it will bring the article more immediately within reach of Gen. Torbert's friends in and out of the Service.]

BIOGRAPHICAL SKETCH

By George Alfred Townsend

The death and funeral of Gen. Alfred Torbert have called the attention of the continent to that old and separated Peninsula on which he was born, who made such mark in the military, social, and diplomatic history of the country.

Family and Birthplace

The Delaware Peninsula, as it is called, is composed of the State of Delaware and parts of Maryland and Virginia. It was of ancient settlement, but a few years later than that of Jamestown. William Penn and Lord Baltimore divided between them that portion of the peninsula north of Virginia, and from the Duke of York's settlement probably came the ancestors of Gen. Torbert. He was born at the present county seat of Georgetown —to which the courts were removed about 1790 from old Lewes, on the Delaware Bay—July 1, 1833. *Georgetown was named for George Washington, and placed near the centre of the country between rills which flowed, some into the Delaware Bay, some into the Chesapeake. As Delaware State was acquired by the English half a century after the occupation of proximate parts of Maryland and Virginia, families from both those States penetrated into Delaware and assisted in the composition

*Also said to be named for George Mitchell, who owned the land.

of a tranquil and genial society, which speedily forgot their differences during the Revolutionary War.

There are three names once common on the Peninsula, which were frequently interchanged, Torbert, Turbutt, and Talbot; they were all pronounced Tawbot. In 1680 Hugh Torbert, of an English family, lived at or near the site of Dover, Delaware. He left considerable estates and his will and family papers are the property of Wm. W. Torbert, of Wilmington. His great grandson, William Torbert, was a merchant at Camden, three miles below Dover, and there was born Jonathan Torbert, the General's father. He was a man of great natural humor and very attractive to young people; in early life he was a private tutor in the family of Milby—people rather aristocratic in that day—and he married their daughter, Catharine Milby. Her grandmother was a Miss Robinson, of Sussex, a great belle in her period, whose finery is still extant. William Torbert became a pioneer Methodist preacher, and Jonathan Torbert becoming an active Methodist, was a lay or local preacher in that church, and spent the greater portion of his life as teller of the bank at Georgetown. He is said to have named his son Alfred Thomas Archimedes Torbert, but the General, later in life, abbreviated it to A. T. Torbert.

Torberts, under the name of Turbutts, were also highly respectable settlers in Talbot county, Maryland, where Foster Turbutt was county clerk in 1679; another of the family became clerk of Kent county, Md., in 1686, and another was in the Legislature of Maryland from Queen Ann's county in 1721. They were intermarried with the Tilghman family, which furnished a staff officer to Washington, and with the Goldsborough

family, which produced an admiral in the Civil War. There was military character in the Turbutts, and a major of that name married Miss Chew in Dover, Delaware, in the middle of the eighteenth century. General Torbert's father, Jonathan R. Torbert, lived a while in Cecil county, Maryland, a prolific district for men of fine tone and leadership, and his brother William has been residing at Elkton since 1829. On a corner of the public square at Georgetown, in a house still standing, and which reminds visitors, by its shingled exterior, of the old sea captains' homes on the New England coast, Gen. Torbert first saw the light.

His mother, Catherine A. Milby, was the daughter of Arthur Milby, a prominent man in the county. She had seven children, of whom two, a brother and a sister, survive Gen. Torbert. There were fair educational facilities in that old county; slavery was permitted, but neither the export nor the introduction of slaves with the neighboring States. Doctor C. H. Richards writes of Torbert's boyhood:

"I was raised with him, and knew him as intimately as boys know each other, who gun and hunt and ride together after school in the evening and on Saturdays, and the pictures of the horses we used to ride are now seen as photographs through mental memory. Alfred was one of the best hunters and riders in the country, and he had a light bay horse called 'Oscar,' with a black mane and tail, and two white hind feet; the soldier of after years presented no better appearance than the boy riding through Sussex county around the head of Indian river or on the banks of the Nanticoke."

The fine physical appearance of young Torbert attracted the eyes of Judge E. Wooten, still living, and a

man of the old style. He went to the member just elected to Congress, George Read Riddle, and obtained the promise from him, while in the midst of the enjoyment of a successful election, to send the son of Jonathan Torbert to West Point. The father was poor and had many children to provide for. Mr. Riddle afterwards wished to be let off from his promise, as he had a nearer applicant, but Judge Wooten held him fast. A few weeks before General Torbert's death, on the Third of July, at the first general celebration of our national anniversary ever held in Sussex county, Judge Wooten, now on the Supreme Bench of the State, was seated on Doctor Richards's porch with the venerable Mrs. Richards, who had been present at his birth, and some of these incidents were told. The opinion was expressed that nothing but Gen. Torbert's party bias had stood in the way of his going to the United States Senate from Delaware. On that occasion the General, amid the haunts of his childhood, was the marshal of the first procession that the united people, black and white, had ever beheld as the fruition of his exposures in the war. Though the Presidential nominations had been made and a few important men present had been in the Rebellion, a general concord, like the prevailing sunshine, fell upon the pleasant sandy streets, and the flag of the Union, joyfully accepted by all, festooned the house where the General was born and the rostrum on the public square, and this was, perhaps, his last visit to his birthplace.

Cadet Life and Classmates

At West Point Torbert became easily and genially acquainted with his fellow cadets. He held an upright,

honorable, unaggressive character. General John E. Corse, the hero of Allatoona, whose grandfather had been an officer in the Delaware line in the Revolution, was acquainted with Torbert there, and says that his amiable, yet substantial character, has always suggested since, the nature of General Jas. B. McPherson, commander of the Army of the Tennessee, who was a part of the same time at the Academy. General W. B. Hazen was a room-mate of Torbert at West Point, and recalls him as a bright, sociable, prompt cadet, who felt that, perhaps, in the future he would have the care of his father's family and was resolved to make his way as well as might be in the military profession. The Southern influences were powerful if not dominant at West Point while General Torbert was a cadet there. Robert E. Lee, venerated for his military descent and connection with Washington's family and influence with General Scott, was superintendent for almost all Torbert's term. R. S. Garnett and Wm. H. T. Walker, both killed on the side of Secession, were instructors, as was Fitz John Porter. But Torbert was also taught by George H. Thomas and Jas. B. McPherson, two of the purest heroes of the Union cause, and was in a pupil's intercourse with Seth Williams—whose brains gave way keeping the vast roster of the Union Armies—with James B. Fry and Doctors Hammond and Barnes. He was the seventeenth and last cadet but one graduated from the State of Delaware before the Rebellion. The Southern cadets, taking their initiative from the audacity of their politicians and the meddlesomeness of slavery, enjoyed the moral regimen that with easy conceit they presumed they had enforced upon the institution, little knowing that in their apparently phlegmatic and negative classmates they

were to encounter the qualities that should worry and wear out their utmost fury and brilliancy.

Among the persons at West Point during some of the time Torbert remained there were Henry W. Slocum, David S. Stanley, Jerome N. Bonaparte, Gen. L. Hartsuff, A. McD. McCook, George Crook, John M. Schofield, Philip H. Sheridan, John B. Hood, Custis Lee, O. O. Howard, J. E. B. Stuart, John T. Greble, George D. Bayard, and John S. Marmaduke. In Torbert's class of '34 graduates were Cyrus B. Comstock, Godfrey Weitzel, David McM. Gregg, Alexander S. Webb, Albert V. Colburn, George D. Ruggles, Lewis Merrill, W. W. Averell and W. B. Hazen. His class standing was 21. Some estimates of his character and ability have been obtained from several of these gentlemen:

General Hazen writes: "Torbert was my room-mate. He came to the academy with a more genteel dress than most boys—a white vest, beaver hat, and cane, and was what we boys called 'dewy.' He was always studious in his lessons, fairly well learned, but he was not quick to learn. He was a kind, true companion and friend, was pleasant even to sweetness of temper and manner, and could always be relied upon. He professed piety, and never wandered from the profession of it, always claiming and professing Christianity, attending church from choice, never using profane language or indulging in liquors. He stood fairly well in his class, and studied enough to be well out of the average, and without becoming a drudge to his books. He impressed one at first as wanting in intellectual vigor, but improved in this power year by year, and finally overcame it, and came out strong and a good student. He read

industriously, and his books were well selected, being those of a moral and religious tendency.

Gen. W. W. Averell remarked of him to the writer: "The impression he made on his class and the professors was that of steadiness. He was not brilliant, not ostentatious, but naturally clean, attentive, and with a sensible head, which carried him into no deflections. I don't think he was distinguished in any particular branch, but averaged up well in all. He graduated 21. He was levelled up nicely, and had a good tone, did not invite but accepted friendship, and was steady in his friendships as in his studies. Before he finished at West Point he was regarded as a sensible product of the academy, who would be a steady, upright soldier. I saw him in after years, and always called him 'Sept' Torbert, the term we used at West Point for the cadets who came in September. I was in the battle of Winchester, which brought Torbert reputation and promotion. His services there recommended him to Sheridan, and when Grant came to know him, his plain, amiable ways recommended him to Grant, who was his friend right onward."

General Webb, President of the College of New York, who was a classmate of Torbert's at West Point, gives this recollection of him: "He was such a retiring boy that without knowing how they got acquainted with him, all his class found him out and loved him. His image grows in the minds of all his classmates, and the more they think about his quiet, steady, sweet character, the more he rises in their estimation, enlarging by contemplation; yet there were no episodes in his career except those of duty. He did not try to be a brilliant talker; he did not 'lark' like some of the class;

something of a womanly nature in him won without exertion. But he never was imposed on. In those days we had fagging, but not the vulgar 'hazing' which came in afterwards. No one dared impose on Torbert; there was that in him which made a tyrannical fellow think twice. He had a manly character from his first appearance at West Point, but it was in a tender setting. I never heard of his saying one word about his worldly circumstances. He was cordial company, and in the Army afterwards, when he had command of all the cavalry of Sheridan he used to come into my tent familiarly. I think the nearest he ever came to personal ambition in the Army was when they gave him a brigade. His sympathy with his soldiers and the desire to see them fight well and think well of themselves, stimulated him to put esprit into that brigade. Particularly plain, though neat in everything, he went so far at that time as to put some gilt ornaments on his coat and hat, seeing that to individualize his brigade was to make it proud for battle. The want of any intense ambition, a perfectly satisfactory sense of duty, the love of his men, which was what he struggled for, made him a remarkable disciplinarian. There was a good deal of the sweet, thoughtful nature of the teacher about Torbert, which was manifested from the first part of the war, when he took hold of the raw Jersey boys and made them both love him and work for him, and so with his brigade and so with the cavalry. These traits identify Torbert to his classmates and military friends like a sort of daisy, as they called David Copperfield. Perhaps his origin in an old and tranquil and retired part of the country down the Peninsula, accounted for this nature. He never was rough at any time of his life. He received his orders,

carried them out, worked, and accepted fate with a rare equalness and magnanimity. The spark of honor could always be detected bright under his mildness. Without profanity or eccentricity or passion, every day came to him like the next and the last, and those who knew him, beautiful as his nature was almost thought that the stormy ocean which was handling him so cruelly as he swam against it all night, felt ashamed of itself to be testing his kind and gallant soul. He had persevered heroically, without abandoning hope or accepting despair, and his heart was still beating as he lay dying on the beach."

Confronting Disunion

On his return to his birthplace at Georgetown, Gen. Torbert become the witness of his father's death, and from that time almost until he died, a period of twenty-five years, he took his father's place at the head of the family, and therefore did not marry until the close of the Rebellion. A portion of his family had always lived at Elkton, Maryland, and with these cousins the Torberts at Georgetown were on visiting terms constantly. A portion of the General's family in subsequent years went south. He gave his mother a comfortable home in Philadelphia during the Rebellion, with two of his sisters. No doubt some social influences were exerted to prejudice him against the invasion of the Southern States, and particularly of Virginia, where a part of his family married and settled. Like Gen. George H. Thomas and others of that stamp, the qualm was but momentary, and when his orders came to take charge of volunteers and prepare them for the conflict, there was not a more useful and expeditious Army officer in the country.

For about a year after graduating at West Point he

was in Indian service on the Rio Grande, about Fort McIntosh, and was then ordered to the swamps of Florida to deal with the residue of the Seminoles. The contest with the Mormons called him to the plains to join the Army of Albert Sidney Johnson, where he was put on staff duty for awhile, until he desired to join his company, and he made the march to Salt Lake and served there nearly three years, and then went with his regiment to New Mexico. He had never yet taken leave of absence, but in the perilous spring of 1861 he received sixty days leave and crossed Texas, where he had a brother residing, and on reaching San Antonio heard the news that seven States had gone out of the Union. It was designed to persuade him into the Confederate army, or that failing, to decoy or detain him there. His expression of opinion was derogatory to the crude statesmen who would break up the Union, but, keeping his own counsel, he slipped the soldiers in his charge out of harm's reach, and got them back into the loyal States. When he reported for duty he was assigned to the State of New Jersey to organize her State volunteers.

The five years and more of Torbert's lieutenancy in the Army yield no episodes or anecdotes in time for the present writing. He was known to be social, fond of ladies' society, punctilious about military duty, easily discharging his task, and whether conducting recruits to Texas in 1855, scouting against the Lipan Indians and enclosing the Seminoles in a fiery circle in 1856, tasting the joys of St. Louis society in 1857 at Jefferson Barracks, and perhaps, seeing sometimes there the lonely man of that neighborhood, Captain Grant, or exiled in Salt Lake Valley from 1857 to 1860, Torbert was a cheerful, easy-going officer, well liked, without petulancy, and not until the brink of the Rebellion did he receive his first lieutenant's promotion, after he had marched through New Mexico. Much of this

time he had nothing else to look forward to, nothing to fall back upon, though some of his brothers and sisters in civil life were removing, venturing, or marrying. In the agitations preceding the rupture of the Union, he was a Whig in feeling, appointed to the Military Academy by a Whig, the son of a Whig, and the scion of almost immemorial Federal and Whig constituencies. He never had the least interest in slavery, though it may have been otherwise with some of his brothers removed to the South.

It is related that Chancellor Saulsbury, a townsman of the General, stated on the day of the funeral that he asked General Torbert at the brink of the Rebellion how he meant to go. Torbert replied: "The United States Government has given me my education and I should be a pretty disgraceful pupil if I used it against the country." The Chancellor says that although his own sympathies were with the Southern people, he replied: "Alfred, if you will take principle like that to guide you through life you will make no mistake, and," says the Chancellor, "I don't believe, notwithstanding a good many stories I hear, that Torbert ever wavered for one moment in his mind. He was not a disputative man, and he would have listened to some of his Army friends, who were of the other way of thinking, with toleration; but his course was just like his promise, quiet but sure."

At one of those plain brick and marble residences which have given Philadelphia the name of "the city of homes," in the district once called North Penn, lived the General's widowed mother and her two unmarried daughters. Mrs. Torbert, who has survived her son, was a lady of refinement and quiet walk and way, seldom positive in her expressions, and of great faith in Alfred. Her daughters had social and afterward matrimonial ties in the South. A more amiable and considerate family for the wishes and views of

each other was seldom found. To them Lieutenant Torbert avowed his purposes for the war, but desired to stay with his own regiment, the 5th Infantry, instead of taking the large chances of promotion and career afforded among the volunteers. He was a man of locality and companionships, and although the qualities which have endeared him to his friends arose from this kind of stability, beautifully natural as it was, yet there are some who regret that he was not of a more restless ambition and did not look farther in the direction of his personal interests. He was ordered to Trenton to muster and instruct volunteers in the Service, and from that moment he became, to a higher degree than a Delawarean, a son of New Jersey.

New Jersey's Disciplinarian

One of the earliest movements of his adopted State was to secure Fort Delaware, which stood within the legal limits of his native State, from anticipated capture by Delaware secessionists. At Trenton, awaiting orders from the United States, Lieutenant Torbert became immediately useful. The Governor of the State, Chas. S. Olden, elected eighteen months before, was not unlike General Torbert in unselfish devotion to his times and his people, but had no conception of military organizations. The Adjutant-General of the State then—as during the whole war, Robert F. Stockton, Jr.—was of a martial family and warm patriotism, and had many good qualities to reform the wretched militia system of the State, yet for actually organizing troops in regiments and brigades he was inexperienced, and it is the more to his credit that he took such instant and hearty hold on the young Delawarean, only twenty-five years of age, who had opportunely come to Trenton to be of general utility. In brief time Gen. Stockton repaid the obligation by awakening the diffident spirit

of his friend to take an enlarged command and shake off the dependence a line officer in the Regular Service is apt to acquire among his very virtues.

If the unknown and retired Grant was hailed as a real friend in need in that district of Illinois to which he was a strange newcomer, merely because he had a West Point education and Regular Army experience, how much warmer was the appreciation in New Jersey of an officer in full Army standing, fresh from the service, and a gentleman in exterior and essentials? He literally taught that State the rudiments of warfare, moulded its political into a military arm, and showed the earliest regiments how to stand, how to walk, and to be intelligible to each other. Cheap, indeed, is the Military Academy acknowledged to be in such times of physical fear, when one young pupil of it can extract order from the chaos of a whole State! Governor Olden made Torbert one of three on a Board of Examiners to select New Jersey's officers, the two others being Stockton and Wm. Cook. The stranger was at once an object of criticism among disappointed applicants for commissions and those meddling politicians and other "strikers" for influence who can never separate a national necessity from their political greed and intolerance.

The estimate of Gen. Torbert held by his adopted State of New Jersey is given in Foster's history, "New Jersey and the Rebellion":

"It was owing to Gen. Torbert's industry and fidelity that the authorities of New Jersey were enabled at the outbreak of hostilities to so promptly fill all the requisitions made on them for troops—his experience and familiarity with the methods of organization wonderfully diminishing the difficulties of the task which was so suddenly imposed upon them. For a period of six months Torbert labored in this work with unexampled activity, proving a strong

right arm to the Executive—never shrinking for a moment from any undertaking, however formidable; never failing in the performance of any duty laid upon him.

"Yet all this while there were some, strange to say, who questioned his loyalty and who labored to undermine him in the confidence of the authorities, and impair his influence with those by whom he was surrounded. This hostility, so far as has ever been ascertained, had no better foundation than the fact that Gen. Torbert was a native of the South and had been associated for the most part with Southern officers—having many influential friends among Southern politicians, with whose views upon the Slavery question he in some degree coincided. But over against this stood the fact that with the very first mutter of treason he arrayed himself vigorously and earnestly on the loyal side, doing more than any single mustering officer in the Northern States to hurry troops to the field to aid in maintaining the authority of the Government, and the further fact, also, that he was at all times outspoken and emphatic in denouncing the whole rebellious conspiracy, never hesitating to rebuke in others the slightest expression of sympathy with it. These facts, amounting to positive evidence, finally, it is gratifying to know, were accepted as conclusive as to Torbert's status; and if, later in the war, when his sabre was flashing over the heads of the nation's enemies, any still entertained doubt as to his loyalty, they must have been of the class with whom neither argument nor reason can overcome the influence of irrational prejudice. As a soldier, Gen. Torbert was courageous, vigilant, skilful, with excellent natural capacities for command, uniting much acquired information as to the high arts and rules of war which made him, in point of qualification, vastly the superior of many who ranked him in the service.

"As a cavalry officer he displayed peculiarly brilliant

qualities, his entire connection with that arm of the Service being in the highest degree creditable to himself and the Army. Sheridan, under whose eye he fought, held him in the highest estimation, finding in him many of the elements which in his own character shone so conspicuously. . . . Torbert's success was the result not merely of skill and combination and high personal courage, but in a large measure the enthusiasm with which he fought and which inspiring his command made it irresistible either in attack or when assailed."

Perhaps the author of the above underrated the quality of the inborn gentleman in Lieutenant Torbert to impress himself so readily upon the authorities of the most aristocratic State, perhaps, in the North. He was so easy to get along with, so efficient, so cheerful and reliable, that he seemed made for the place and the hour. His tone, never let down even in the merriest moods, preserved him in daily respect. Something of this quality of mixed sweetness and tone may fairly be ascribed to the society of his little native State, like the kernel of the peach, grown in wider landscapes. The same sullen intolerance which refused him the right to be a Unionist in New Jersey, also long after the war sought in Delaware to reclaim him for "the lost cause" by magnifying stories of how he wavered, or hesitated at some indefinite, mythical time, vivid only to the imaginations of overtaken and degraded peace men. It is to the credit of the New Jersey authorities that they were above vexing the soul of a man almost the consignment of Providence to them, with the least suspicion or want of confidence. While West Point graduates like George D. Bayard and Judson Kilpatrick were asking for commissions in the New Jersey volunteers, Torbert, with almost unaccountable yet sincere preference, looked to his old regiment, in which he was not yet a Captain, to be his uniform field

of service. Like Grant, when offered a regiment by the Governor of Illinois, he felt that he did not want so much responsibility. August 3, 1861, he received the appointment of Captain on Staff and Assistant Quartermaster in the Regular Army. The same day General Philip Kearney, who was to command the first New Jersey brigade in the field, wrote to Adjutant-General Stockton to find him a Colonel for the first New Jersey regiment, already mustered in. Stockton, discouraged that his useful and accomplished associate would presently be a mere captain of the line, pressed him to take the regiment under Kearney, and thus, in a measure, put ambition into the negativeness of his friend. He consented, and Governor Olden at once sent to Washington for a commission for Col. Torbert, which was granted one week before his promotion to a full captaincy in the 5th Infantry, the staff captaincy having been declined. He gave up his onerous duties at Trenton with regret, having easy tendrils, which took hold warmly everywhere. It was always more grateful to Torbert to stay than to go higher.

At the outbreak of the Revolutionary War Trenton and New Jersey gave to Delaware one of her three brigadier-generals, John Dagsworthy, who lies buried at Dagsborough, a few miles from Torbert's birthplace. In the war of the Rebellion Delaware repaid the loan by giving New Jersey the colonel of her first regiment in the field, under Philip Kearney, and subsequently the general of Kearney's brigade.

The New Jersey Brigade

Col. Torbert now went to work with the greatest nicety, patience, and firmness to make a perfect regiment. His command had previously had some slight experience of war.

Three regiments of the first Jersey brigade had gone into the battle of Bull Run, and Gen. Runyon's division of reserves helped to halt the retreat of the Army there. The first and second regiments then went into camp near Alexandria, and were soon joined by the third, which had been at Fairfax during the battle. Major Philip Kearney was now assigned to the command of these New Jersey troops, which were attached to Franklin's Division, with brigade headquarters at St. John's Seminary, three miles back of Alexandria. Kearney was a soldier throughout, and assisted by Torbert, he proceeded to discipline this brigade, which was so well drilled and made so intelligent and efficient in course of time that it became the pride of the Army. During all the fall and winter Torbert was at this camp, drilling, inspecting, teaching, and elevating the standard of officers and men.

Late in September Kearney made a reconnoissance in force with the brigade, a battery and a company of cavalry. This tested the troops, and about the middle of October Torbert's regiment had a skirmish with the enemy's cavalry and lost three or four men. Stanton, the new Secretary of War, now ordered the occupation of Manassas Junction, but McClellan persuaded the President to consent to an advance by way of the Peninsula, thus obtaining a practical suspension of the order. Phil. Kearney was one of the first men in the Army to criticise the procrastinating spirit, and Gen. Torbert, under his immediate command, probably took a bias at that time in favor of the energetic and direct mode of warfare, which long afterward came into play.

Kearney seized the first opportunity, while carrying a party of railroad laborers, to order a reconnoissance—

some negroes having told him that the rebels were moving out of Manassas. Without awaiting orders, and only apprising General Franklin of the information, he threw his skirmishers over a wide extent of country, drove the enemy's pickets in and Torbert's regiment advanced to Fairfax Court-house and to Centreville. The brigade at 10 o'clock on the 10th of March, 1862, entered the abandoned works at Manassas Junction and was the first to take possession. This movement caused more aggressive warfare thereafter, and early in April the New Jersey brigade was appointed to employ the enemy about Catlet's Station, while McClellan's main body was being sent to the Peninsula. There the New Jersey brigade arrived April 17 and Kearney being promoted to a division, Col. Taylor took charge of the brigade. The action of West Point now took place the brigade participating, and on investing Richmond it held the right of our lines about Mechanicsville.

On the shores of the Pamunky River, a few miles beyond Cumberland Landing, the 6th Corps of the Army was organized about the middle of May, 1862. The Army of the Potomac had been previously divided into five corps of three divisions each, of which only three corps intact had been brought to the Peninsula under Sumner, Heintzleman and Keyes. The 6th Corps, under Gen. Franklin, was composed of his own old division and of W. F. Smith's division. Gen. H. W. Slocum now took Franklin's division, composed of the New Jersey brigade, then under Col. Taylor, but afterward known as Torbert's, of Slocum's brigade under Col. Bartlett, and of Newton's brigade. It has been written of this corps that "no other body of troops ever made for itself so proud a record; no corps of the Federal

Army nor of the enemy ever went into battle so frequently and never were either of these two divisions put to rout."

During the battle of Gaines' Hill the New Jersey brigade, which had been transferred to the right bank recrossed the Chickahominy and went for the first time into regular battle. Torbert's regiment was ordered into the woods by General Fitz John Porter, and the firing was severe and attended with great loss until a charge was ordered and the discipline of the regiment was shown in its immediate and universal obedience. All that afternoon and until dark the brigade fought manfully and three times drove the enemy from the woods, and when it recrossed the bridge near midnight the brigade had sustained a loss of 1,000 killed and wounded. Torbert's regiment was well extricated, but the 4th regiment was surrounded and made half the whole losses. Only 965 grimy, exhausted men answered to their names on reaching camp. During this battle of Gaines' Hill, Colonel Torbert was down with the Chickahominy fever and could hardly stand on his feet, but he mounted and went to the battle and showed himself to the men and to the enemy. His Lieutenant-Colonel McAllister, put the men into battle. McAllister reported: "At the time of this engagement Colonel Torbert was confined to his bed with remittent fever, but being informed that his regiment was going into action, he started for the field at once. Arriving there he succeeded after much difficulty in finding the regiment, and, seeing part of the division falling back, went to work with other officers to rally and collect the men."

The Chicahominy fever was more than the equiva-

lent of wounds in battle; insidious, yet unintermittent, as a mosquito in the brain, it brought the dew of death, the dreams of delirium, and the cold of the grave close upon each other. No mental courage could stand against it; it filled the Army with embalmers and undertakers; the steamers to Baltimore went laden with the pine coffins of its victims; the active and high-hearted were among the first to suffer from it, and for more than two years General Torbert had recurrences of the poison, being in the hospitals in part of the winter of 1862 and the spring of 1864. To have fought the enemy right onward would have been to leave the deadlier fever behind, but it was then the day of sickly counsels and such generalship as Cromwell in parliament arraigned the Earl of Manchester for: "That the said Earl hath always been indisposed and backward to engagements, and the ending of the war by the sword, and for such a peace as a thorough victory would be a disadvantage to . . . Hath drawn the army into and detained them in such a posture as to give the enemy fresh advantages, with contempt and villifying the parliamentary authority; sometimes against the councils of war, and sometimes by persuading and deluding the council to neglect one opportunity with pretence of another, and then, again, of a third, and at last by persuading that it was not fit to fight at all."*

Gainesville to Gettysburg

The Army being tranferred from the Potomac to the relief of Pope, the New Jersey brigade was ordered to Bull Run to guard a railroad bridge and disperse

*Carlyle's Life and Speeches of Cromwell, Letter XXIII.

guerillas. Torbert's regiment now had only 300 men fit for duty, and the whole brigade amounted to only 1,100 instead of 3,000 as formerly. The supposed guerillas turned out to be the main body of the enemy who attempted to surround and capture the whole brigade. The little column, however, stood gallantly together and in good order worked its way back to Bull Run Bridge and there made a stand. Stonewall Jackson said on the field that "he had rarely seen a body of men fight so gallantly against such odds as those Jersey troops were doing." General Taylor, its commander, was wounded in the leg and died from the amputation, and the brigade losses were again 117 killed and wounded and over 200 missing and prisoners. The great battle of Gainesville followed, where Kearney was the lion of the Federal fight. While driving the enemy near Centerville, Kearney was shot dead, being too much in the front. Gen. Torbert thus became the commander of the brigade, and the story of his operations for some time is in his orders and reports.

For a few days his brigade was in camp in its old position about the Seminary, but Lee's army having crossed the Potomac at Leesburg and moved on Frederick, the whole Army of the Potomac was sent in pursuit under Gen. McClellan and Torbert, in Franklin's corps, marched by way of Rockville and Burkettsville, and on the 14th of September fought in the battle of Crampton's Gap against Howell Cobb. The Rebels had three brigades posted at the windings of the road behind stone walls at the mountain base, and wherever there was an obstacle on the way up the mountain. Eight pieces of artillery commanded the only scaling point on the pass. Newton's brigade of Slocum's division was ordered to

charge and Col. Torbert with his brigade to support Newton, while Gen. Brooks' brigade was to skirmish up the mountain and if possible turn the enemy's right flank. Brooks, however, had so long to march that they could not wait for him, and the two brigades which were to charge in front, carried in succession six rail fences and two stone walls, all filled with Rebel infantry. Gen. Torbert played a very notable part on this field, and a large part of the Army looked on him with admiration to see his little band of veterans dash from point to point of the rocky slopes with a cheer at every rush and enter the pass and go through it, obeying orders as implicitly as children, and fighting with the coolness of ball-players. The mere climbing of the hills would have fatigued men of less character. The losses they inflicted on the enemy were very great, and they took 400 prisoners, one gun, 700 small arms and the enemy's flags. The losses of the brigade were 174 killed and wounded. A newspaper report of that day says: "When we of the New Jersey brigade relieved Newton's brigade and opened fire on the enemy, they were at the foot of the mountain, about 300 yards from us. We had not fired over a dozen rounds when Col. Torbert ordered a charge over the fence, and at it we went across the field at double quick. The Rebels stood their ground until we got within 200 yards of them, when they broke and ran like sheep and we after them. At some points the hill was so steep that we had to go on all fours. But we gained the top. Here they were reinforced by another brigade, but our boys were too much for the entire lot, and we soon got them running again and kept right on in pursuit until we gained the opposite side of the mountain."

The battle of Crampton's Gap was Gen. Torbert's

first appearance to the public in full command of his brigade, and there it got the reputation it continued to sustain till the last of the war. His general orders addressing his troops said:

"Soldiers, the 14th day of September, 1862, is one long to be remembered; for on that day you dashingly met and drove the enemy at every point. Your advance in line of battle under a galling fire of artillery and bayonet charge, was a feat seldom if ever surpassed. The heights you took show what well disciplined and determined soldiers can do. You have sustained the reputation of your State and done great credit to your officers and yourselves. While we lament the death of our brave comrades who have fallen so gloriously, we can only commend their souls to God, and their sorrowing friends to His sure protection. May you go from victory to victory is the hope and wish of the Colonel Commanding brigade!"

Torbert's official report of the battle of Crampton Gap is plain and perspicuous. He marched his brigade in two lines by the right flank under cover, till it gained open ground, when the advance was made in line of battle. His own and the second regiment in front, and 150 paces behind it the third and fourth regiments, advanced half a mile with great regularity through clover and corn fields, intersected by high wood and stone fences, exposed almost all the time to artillery fire. Bartlett's brigade was engaging the enemy, and as soon as one of his regiments got out of ammunition, Torbert's second moved forward to relieve it. The enemy was behind a stone wall at the base of the mountain, with a wood just behind them and an open field, of three to four hundred yards, intersected between the two lines

of battle. Torbert charged forward to the woods across the open fields with his rear line, while the first line was ordered to stop firing. They went on with a cheer at double quick, leaping the fence behind which the first line had been fighting. When they had advanced 150 yards the next line was ordered to charge, and at the two charges the enemy broke and fled up the mountain side in great disorder, closely pursued, and were driven right through the pass and into the valley on the other side, and then night came down. Torbert was slightly wounded at Crampton Gap.

At the battle of Antietam Torbert's brigade, having bivouacked in Crampton Gap, relieved a part of Sumner's corps, which had been hotly engaged, and remained on the field forty-two hours. After Antietam the brigade remained in Maryland till October 2d, when it crossed the Potomac at Berlin, and after tedious campaigning took part in the movement against Fredericksburg. Parts of other Jersey regiments had been added to it, and in the movement on the left below Fredericksburg, it went into battle at three o'clock in the afternoon and drove the enemy from a part of the heights, who again rallied, and nearly the whole brigade had to go into the action. Wretched generalship was shown here from above, but the Jersey boys now fought as well in defeat as in victory. At Fredericksburg Torbert's losses were 172 men. His brigade and that of General Devens covered the recrossing of the Army, and was the last to leave the field on the left of the lines.

That winter the Army laid about Falmouth, where General Bayard was killed. General Torbert was very ill during the spring, and at the battle of Chancellorsville Colonel Brown commanded in his absence; the men

fought with their old system and lost 511 men at Chancellorsville, including 26 commissioned officers. Then followed the battle of Gettysburg, in which the New Jersey brigade, attached to Wright's division of the 6th Corps, crossed the Potomac at Edwards' Ferry, June 27th, and having made a forced march of thirty-six miles in one day, reached Gettysburg with only 25 men absent, on the night of July 2d, and was at once sent into position on the left of the line being drawn up in two lines in reserve.

On the 3d of July, 1863, the New Jersey brigade at Gettysburg was detailed from the Corps and advanced to the front and centre of the line, strongly picketing the front, connecting on the right with the 1st corps and on the left with the 5th. As the fighting was on the right and centre the brigade did not become engaged on this decisive day, except on the picket line, where it had 11 men wounded. After Gettysburg was over, the brigade joined in the pursuit, marching in line of battle covered by a heavy line of skirmishers, and late in the afternoon overtook the enemy near Fairfield and had a sharp skirmish. It again engaged the enemy at Hagerstown, July 11th, and on the 19th crossed the Potomac at Berlin and reached Warrenton on the 25th, after a severe march. General Torbert's report said: "Too much praise cannot be given to officers and men for their patience and endurance on this long and tedious march of about 250 miles. There was by far less straggling than was ever known in this brigade before."

From Warrenton the brigade went to Culpepper Court-house, and participated in the involved and fatiguing movements along the Rappahannock, and then again encamped at Warrenton, at Rappahannock Sta-

tion, and at Brandy Station, till late in April, 1865. During this winter and spring Torbert bade adieu to the brigade, being assigned to command a cavalry division. General Torbert's brevets in the Regular Army were five in number during the war; he was made Brevet Major for Gettysburg, Brevet Lieutenant-Colonel for Hawes' Shop, Brevet Colonel for Winchester, Brevet Brigadier-General for Cedar Creek, and Brevet Major-General March 13th, 1865, "for meritorious service during the war."

In the Cavalry

General Torbert's assignment to the command of a division of cavalry, though it brought him much subsequent reputation, was not regarded as an unmixed benefit by his old military friends. He had won the position of the permanent commander of the best brigade in the Army of the Potomac. There was but one other brigade held in the same estimation by the Army, the Vermont brigade of General Brooks. Torbert had literally made his Jersey Blues—had shaped them from a mass of awkward recruits to be a machine in precision, and had then inspired them with the souls of heroes. They loved him with a love at once masculine and maternal. In one sense he was their mother, with his tender, amiable qualities, in another their hero in the time of battle. General Meade went to General John Sedgwick and said: "I want to give Torbert a Cavalry Division. Can you spare him?" Sedgwick looked grave and replied: "He is very useful here. He has been here a long while. This corps would miss him, General Meade."

"O," replied Meade with some petulance, "I see that you object."

Sedgwick said calmly: "General Meade, I do not wish to stand in the way of General Torbert's promotion, but it is my judgment that right here in the 6th Corps is his best

opportunity. In the fatalities of war I may not always have this corps, and when I go General Wright will be its commander and then General Torbert will have Wright's division."

Still feeling crossed, Meade said: "Why, I offer him a division now! What does he want to wait for?"

"You command the Army," said Sedgwick, "and General Torbert wants only to know where his duty is."

It is not within the limits of this sketch to describe the ineffective though not irresolute movements of the cavalry under General Meade's command before Sheridan took control of it. The creator of the cavalry of the Army of the Potomac is generally said to have been General Hooker, who made Stoneman its commander. A few months before his death he told the writer that he had overestimated Stoneman.

When General Meade assumed command of the Army of the Potomac after Hooker, he put General Stahl's division of cavalry into Pleasanton's cavalry corps, who assigned General Kilpatrick to the command of it, and Pleasanton also recommended Captains Farnsworth and Custer as Brigadier-Generals. Torbert's last fight in the infantry was at Rappahannock Station in November, 1863, where Meade probably had him in particular favor.

At Cedar Mountain, October 11, the signal officers had read from the Rebel flags a message saying that J. E. B. Stuart was making for the Union road. The Union Army was then withdrawn toward Culpepper, and marched toward Brandy Station with the cavalry force under Pleasanton to cover its retreat. The Rebels attacked the cavalry and slipped a division between it and the rear of the infantry. This led to the battle of Rappahannock Station between Kilpatrick and the enemy's cavalry. Meade then turned and offered battle, and the Union Army,

three miles long, advanced in splendid organization, the enemy retreating, and nothing resulted but heavy cavalry fighting.

General Alfred Pleasanton says: "The success of the Rebel Army in Virginia for the first two years of the war was mainly due to its splendid organization and to the splendid corps of cavalry it was able to maintain. That army was not hampered with a surplus of artillery, and with its numerous and efficient cavalry kept its commander well informed of all movements. But when the casualties of war reduced this cavalry faster than they could replace them, which was the case in the campaign of 1863, the Rebel Army was soon thrown upon the defensive, from which it was never afterward able to recover."

General Pleasanton, being disposed to criticism, was sent West after Grant came East, and the division commanders of the Eastern cavalry were now ready for that great spirit of the horse who was snuffing the battle from afar. An anecdote of Torbert, possibly misplaced at this point of the narrative, may introduce the serious narrative to follow the arrival of General Sheridan.

Colonel Chas. Treichel, of Gregg's division of the cavalry, says: "A feature of General Torbert was conviviality without indulgence. He never drank anything in the Army; nobody that I have seen recollects that he ever took a drink. Yet he would come into a place where a company of officers or old Army friends were having a lively reunion, would take his glass in hand, and a stranger coming in might have thought he was the spirit of the bounce. He liked company and happy people and needed no wine to be beaming and encourage the hilarity." That even level of resolution, whatever the surface of his enjoyment, made him everywhere reliable and never depressing.

It is related that his fondness for ladies' society only

once brought him into danger. He had been sent with a body of cavalry to relieve another cavalry commander who, in the dead of winter, made an expedition in the Blue Ridge country with his horses smooth-shod, and a sudden sleet springing over the roads and country so impaired and imperilled this detachment, that Torbert, with winter-shod horses, had to assist it to get back from the enemy's region. They were closely followed, however, by the partisan horse at home in that wild country, and General Torbert, after most of his command had passed into and through Warrenton, rode himself to see that the inlets of that town were picketed. He galloped up the leading streets and looking out the various roads was relieved to observe that they were already picketed by watchful horse. In that town was a family of vivacious Virginia girls who coquetted with both Federal and Confederate officers, by the name of Lucas, but they were in sympathy with the cause of their State, and every "Yankee" officer captured by their assistance, gave them reputation at home and also detained an invader friend. The gallant side of his nature equal to his accomplishments and popularity, the General stopped a minute at the Lucas house to pay his compliments, and left an orderly or trumpeter mounted at the door. This trumpeter observed very soon the supposed pickets riding suspiciously into town, quite unlike in appearance and movements the straightforward Union cavalry videttes, and they were prowling up and down back streets, and apparently closing around that portion of Warrenton where General Torbert, amidst the compliments and cake of the beautiful rebel sisters, was trying in vain to detach himself. Suddenly he heard the trumpeter blow and his name shouted outside. His orderly had become so uneasy that, at the risk of trespassing, he had given the alarm. General Torbert darted lightly down the steps and laid his foot in the stir-

rup, but his horse, now agitated by the tramp of galloping troops close by, started and lost him the stirrup. That slip was almost fatal; for around him, thick as hornets at the nest, the brigands were pointing pistols at his head and crying "surrender." He was in the saddle already, and without reply started off at full speed amidst a shower of balls. Down the street as his horse ran, shots were sent after him from every alley and crossing. He escaped their imperfect aim and then a large squad of them charged in pursuit and very close behind him, firing as they came and augmenting at every rod. The spirited chase continued through and beyond the town, and a regiment of cavalry drawn up along and back of the road looked astonished at General Torbert gallopping like the wind and almost a squadron at his heels. As soon as they could comprehend the situation they snatched arms and started for the audacious partisans and General Torbert said that he never had such a narrow escape in all his life. His cavalry associate, General Crook, was captured by a similar band in the midst of his command in the city of Cumberland while visiting his future wife—a beautiful Virginia rebel, and at head of his captors was her brother.

Wilderness Campaign

When Sheridan was changed from the command of a division in the Western army to take the command of the cavalry corps of the Army of the Potomac in April, 1864, he found this corps in three divisions and twelve battalions. He confirmed the first division to Torbert at once, and Gregg and Wilson got the other two. When the Army moved in the Wilderness campaign, two divisions of the cavalry took the advance and covered the two fords over the Rappahannock, while Torbert's division covered the lines of the Army in the rear for many miles and also picketed

some of the lesser fords. The second day Torbert's division joined Sheridan at Chancellorsville. The spring attack of the Chickahominy fever disabled General Torbert during Sheridan's first celebrated raid in Virginia, which occupied sixteen days, and killed the rebel cavalry leader, Stuart. On rejoining the Army of the Potomac, Torbert took the advance at the crossing of the Pamunkey river. Grant was then on his notable left flanking campaign. Custer, who had a brigade of Torbert's division, did some severe fighting at the fords and about Hanover town, and the cavalry frightened the whole enemy away from the Pamunkey ford, so that Grant's Army crossed unimpeded. While still in advance, the cavalry encountered at Hawes' shop the dismounted rebel cavalry behind a rail breastwork, supported by a brigade of South Carolina troops under Colonel Butler. One of Torbert's brigades was dismounted, formed in close column of attack, and charged with another division, and the enemy fled, leaving all his dead. Here, perhaps, was the first suggestion East of dismounting cavalry and charging breastworks.

The possesion of Cold Harbor was of the highest importance to Grant's Army, as it insured communication with the new base of supplies at the White House. The enemy had already anticipated this fact and pushed a strong force up to the Motadequin creek, which Torbert's division held, and a stout engagement ensued, in which the whole of the cavalry became employed. Torbert's men broke the enemy and pursued them close to Cold Harbor again, killing and capturing many of the South Carolinians. Sheridan says in his report that he "now visited Torbert and Custer at Custer's headquarters, May 31, 1864, Torbert's division having the advance, and found that these two had also talked of a plan to attack and capture Cold Harbor, which I *endorsed,* and on that afternoon the attack was made, and

after a hard-fought battle the 'town' taken. Gregg was immediately moved to the support of Torbert, but the place had been captured before any of his troops became engaged." Here Torbert made the strong impression Sheridan expected, and the latter remarks: "Cold Harbor was defended by cavalry and infantry; on the Old Church side the enemy had thrown up breastworks of logs and rails. The fight on the part of our officers and men was very gallant. They were now beginning to accept nothing less than victory." This fighting occupation of Cold Harbor probably saved the Army of General Grant, and the efficiency of the cavalry, fighting without infantry support by dismounting and charging on foot, achieved it. The enemy feeling that it was the key of the position began to prepare masses of troops to drive out Torbert, and Sheridan had already ordered the cavalry to retire, when Grant despatched word that "Cold Harbor must be held at all hazards." The cavalry had then, therefore, to make another battle to reoccupy the place. The enemy's breastworks were counter-faced. the cavalry placed behind these works and ammunition boxes were distributed all along the line during the night, while the active enemy could be heard giving commands and making preparations for a decisive morning attack. Just after daylight, June the 1st, they marched up and were allowed to come close, when the batteries and repeating carbines poured iron and lead into them and they were driven back in confusion. Again reorganized they came on again with the same result, till at last, at 10 o'clock, the 6th Corps arrived and relieved the cavalry.

Thus commenced that notable friendship between this celebrated corps and the cavalry which marked all the remainder of the war. Torbert was a son of both the 6th Corps and the cavalry. Operating on the left of the Army,

and fighting continually, Torbert's and one other division were ordered to make the second great raid from the lower Chickahominy to Charlottesville. Every soldier had a hundred rounds of ammunition—forty on the person. They marched along the north bank of the North Anna, Torbert having the advance, and at Trevillian station he encountered the enemy in full force behind a line of breastworks in dense timber. Custer's brigade was sent around to the enemy's rear and Torbert's other brigades were put in line of battle and carried the works, driving Wade Hampton's division pell mell back on Custer's, which again assailed it, and it was perfectly panic-stricken. Five hundred prisoners were captured. A great force of rebel infantry was now in search of this Federal raid, and Sheridan being out of ammunition and burdened with prisoners, concluded to return to the White House. He sent out Torbert on the Gordonsville road and a heavy action began with the enemy, continuing till dark, while the railroad was being broken up. The cavalry being now nearly surrounded and with two thousand negro refugees and a great many wounded, had to go back on its tracks and graze the nearly-famished horses, and then, recrossing the recent battle-field of Spottsylvania, and marching through Bowling Green, Sheridan led his columns down toward West Point, on the York River. Sheridan draws a pretty picture of this return to West Point, showing the good feeling that existed among the men and their officers: "nothing could exceed the cheerfulness of the wounded, though hauled in old carts, ammunition wagons, etc. I saw on the line of march men with wounded legs driving, while those with one disabled arm were using the other to whip up the animals." On the way down, Sheridan concluded not to go to West Point, but took possession of the White House and marched for the James River—Torbert always in the advance, fight-

ing on the way to get to the *tete du pont* over the James to Bermuda Hundred. The rebels resolved to cut off this cavalry, which was detached and unsupported on the north bank of the James, and Torbert was directed to push his whole division to the front and meet the enemy. There was fighting on all sides all day, but they saved the lines. While this portion of the Army was successful, Wilson's division of the cavalry was beaten south of James River. Sheridan says that his command had now "marched and fought for fifty-six consecutive days, and men and animals were nearly dead."

Along in July Torbert's and Gregg's divisions, with the 2d Corps to back them, were ordered to cut the railroad north of Richmond, if possible, and this led to an engagement between Malvern Hill and Richmond, in which Torbert played a strong part. The cavalry was dismounted and lay down in lines of battle just behind the crest of a ridge, and when the rebel line reached the crest the repeating carbines tore it to pieces and then the cavalry, mounted again, charged upon it and took many prisoners and battle flags. This fight was called the battle of Darbytown. When this last movement with its various intricacies,—not here detailed,—was over, every officer and man in the cavalry was prostrated by anxiety and sleeplessness. General Torbert, still with some fever in his system, had made a great name as a cavalry man.

It was now that Sheridan was ordered to the valley of the Shenandoah, and Torbert's and Wilson's divisions were directed to join him there. In returning thanks to his leading officers, eleven in number, Sheridan places Torbert only second to Gregg.

Torbert Head of the Cavalry—Winchester

Early in August, 1864, Gen. Sheridan, commander of

the cavalry corps of the Army of the Potomac, was put in charge of the Army of the Shenandoah. Sheridan, like Torbert, had been in the infantry, and developed into a cavalryman from the events. Sheridan was given a more respectable Army than had been seen in the valley, because two or three weeks previously Early had made his celebrated march on Washington City and nearly captured it. Grant resolved to send men of enterprise into the valley, and among them was Torbert, whose division of cavalry was sent to Sheridan, as well as Wilson's division. Sheridan at once reorganized his cavalry, regarding it as "the most necessary branch of the Service in the long and rapid marches up and down the valley." He appointed Torbert to command the whole cavalry, a recognition late, though complete, of the steady soldierly qualities which those who knew him had always appreciated. The cavalry was divided into three divisions, under Custer, Averill, and Merritt. Averill was soon replaced by Powell. The 6th Corps, of Gen. Wright, and parts of the 8th and 19th Corps, under Generals Crook and Emery, composed, with the cavalry, Sheridan's Army of the Valley.

On the 10th of August this Army advanced up the valley from near Harper's Ferry, and the Delaware cadet had an immediate experience, which might have been startling a few years before, of how even more rapidly than armies had been the march of moral ideas and of idealism in the Union hosts. They passed by the jail and the court-house where old John Brown had been chained and tried; the court-house was in ruins and the jail a shell of tottering walls, and much of the town was dilapidated by war. Every band of music in the Army, and every drum corps, as it passed through the echoing, dusty streets, played:

"John Brown's body lies mouldering in the grave.
His soul's marching on."

Torbert had passed his youth amidst slavery in a modified form, but in the immediate vicinity of slavery without modification. The counties of Maryland, from which some of his family came, were all slave holding counties, and they had all but recently exported slaves to Norfolk and the South. The young General, however, looking out on the wheat field where old Brown had met his death—remarking on the beautiful landscape, the harvests, and the soft-tinted mountains—had progressed like his soldiery in the direction of freedom, and felt his own pulses touched with the chords of music to the soul of the hero. Charlestown was never marched through at any other time, but it was the fashion for the bands to play and the boys to sing the old camp-meeting melody to the memory of John Brown.

A purpose of this march up the valley was to destroy the ripening crops which furnished the winter food for nearly the whole army of General Lee. Early, after his repulse from Washington City, had set the example of devastation by making a second raid in force and burning the city of Chambersburg, Pennsylvania. The Government, and Grant and Sheridan, had resolved to make warfare in earnest, and burn this granary and the mills which ground the grain, and to spoil the valley as a side-aisle to Washington and the North, so that peace might come the speedier to a people weeping for it. Therefore the ten thousand cavalry under Gen. Torbert, which composed one-quarter of the Army of forty thousand men, spread across the valley almost from mountain to mountain. Torbert had the supreme cavalry command. They were an arm of the Service hitherto chiefly used for long raids, or battle with opposing cavalry, but now to be developed into the great uses which they served at the close of the war, when at Five Forks they could fight both on horseback and on foot, and men fresh out of the saddles would charge intrenchments with their

carbines. Torbert, accomplished in the infantry service and promoted into the cavalry, was just the man to give discipline, unity, and tactics to such soldiery, and he was working under the eye of a genius, in Sheridan, whose nature was on fire for aggressive warfare, though he had been told by General Grant only "to hold the enemy and not to give battle." It was an intensely hot march, and horses and men suffered, but there were fine streams of water and around the farm houses were springs and wells, and the soldiery lay in the open air at night, under the stars and flying meteors. Torbert's cavalry scouted on the flanks of the infantry and on the front, too, all the way up the valley, running the rebel cavalry on, and so they went to Strasbourg, fifty miles above Harper's Ferry, where the enemy lay intrenched behind transverse mountain walls. Mosby, working through the Blue Ridge, made such havoc among the trains far in the rear, that the Army fell back in less than one week, marching through Winchester to be jeered by the secession females. Here the Jersey brigade, many of whose officers Torbert had brought up from raw recruits, staying back to support the cavalry, joined it in a sharp action. Another battle followed on the 21st of August, and Sheridan's Army, halting about Berryville, with headquarters at Charlestown, lay inactive for about three weeks, the cavalry, however, being constantly exercised in every direction. At Charlestown, among the relics of the John Brown raid, Grant and Sheridan met on the 15th of September, 1864, and the latter urged upon Grant to let him attack the enemy instead of merely repelling attack. General Torbert played a part becoming his position in these counsels, and Grant finally uttered his celebrated words, "Go in!" So, on the 19th of September, Sheridan's Army advanced, accepting a counter movement by Early, who, seeking to get to Martinsburg and burn it, was doubled up by the

cavalry, and driven towards Winchester. Sheridan now sought to attack the detached left wing of Early, and sent two of Torbert's cavalry divisions to engage and divert the enemy on the West, while the Army should strike him on the East of Winchester. In this march a part of Torbert's cavalry under Wilson performed the first feat in the new cavalry-infantry tactics; they leaped their horses over the enemy's breastworks and chased down and captured the men inside. The cavalry had to be in the front everywhere, and received the first gashes. As the infantry marched into the battle of Winchester they saw these wounded cavalrymen coming to the rear, some leading the wounded horses, others with their heads bound in bloody handkerchiefs, others borne on litters. Behind the cavalry the Army slowly formed in line of battle, and Gordon got up his division before any available ground could be occupied, except that which the cavalry had seized by skilful manoeuvring, under Torbert's direction, in front of Bunker Hill. The lines of battle, when all was ready, were three miles long, and made the most beautiful sight seen up to that time in the valley, the disciplined troops moving as on parade, the masses of cavalry on the flanks, all the brigade and regimental flags advanced, and Winchester's spires and roofs glowing in the noon. One infantry corps and a part of the great 6th Corps had been repulsed, and General Russell, at the head of his division, was killed by a cannon ball; but other divisions and parts of the Army were held well together, and the cavalry did its work wherever placed, being used as parts of the line of battle, and for excursions, and to prevent the flank being turned. It is related in Doctor Stevens's history of the 6th Corps, that about 3 o'clock in the afternoon, in the midst of rapid firing, Sheridan rode down to that corps, which was standing to its arms, his face aglow with excitement, the perspiration rolling down his brow, his famous

black steed in foam, and going straight to General Getty, who commanded the corps, he cried: "General, I have put Torbert on the right and told him to give them hell, and he is doing it. Crook, too, is on the right and giving it to them! Press them, General! they'll run—I know they'll run."

It was the cavalry which was opening the battle of Winchester with the discipline and effectiveness of an army of infantry. At the mention of Torbert's name, the 6th Corps burst into cheers, and the whole line of battle advanced over plain, hollow, and rolling ground, the enemy's artillery raking the Union ranks; but on the left the gleaming sabres of the cavalry charging in the growing corn, rushed like an avalanche against the right wing of the enemy, seeming for an instant to be in complete disorder as they swept on, and then in another moment to be in perfect order; and the jingle of their iron scabbards against their spurs from that mighty mass of horses, was long recalled by the infantry as among the phenomenal sounds of the war. On the right, too, but out of sight, another great body of cavalry was moving to its work, and so the infantry between pressed forward firing, and before anybody knew much about it, the Army were chasing the rebellion through the streets of Winchester. It was the first great rout of the foe seen in that valley for a long time. Some streets became entirely blocked up by the disordered mass, and even footmen could not press through. A squad of cavalry coming up to one of these obstructions leaped from their horses and made their escape on foot. Torbert's cavalry, taking advantage of the confusion, rushed among them and gathered in hundreds of them as prisoners, and captured fifteen battle flags and five guns. The town was filled with thousands of the rebel wounded, and the flying Army was not collected till it was miles beyond the town, and while Sheridan's infantry encamped on the hills about Winchester,

Torbert's mounted thousands were following the enemy with the sharpest horrors of war. This was the celebrated battle of Opequan, or Winchester, in which the young General from Delaware, at the age of thirty-one, was writing his name in history among the associations of Washington and by the grave of Daniel Morgan, buried there. Winchester was the creation of Washington, who built a fort on the spot, which, from a sutler's camp became a town. The fruits of this battle were five thousand men in gray uniforms gathered in the Court-house yard and other public places.

The news of the battle of Winchester thrilled the country and was echoed over the world. Every general in that valley had been out-flanked, chased or broken up, but Sheridan's Army, with its magnificent cavalry always in the front, now moved up the valley sternly, taking prisoners every moment, until it was arrested again by the mountain fortification of Strasbourg.

The Cavalry to Cedar Creek

Here the Blue Ridge and North Mountain approach each other and narrow up the valley, and Fisher's Hill stands like a cross wall—at the foot of it the town of Strasbourg, and in front of Strasbourg, Cedar Creek. The Union pickets occupied part of the village of Strasbourg, and the rebel pickets the other part. The next day, September 21st, Sheridan's infantry saw the cavalry brigades successively go by, each carrying a large number of Confederate flags at the head of the column, making them look almost as if they had gone over to the enemy. The cavalry from that time forward became a powerful reliance of Grant in his great operations, and although General Torbert's lieutenants, such as Custer, Wilson and Merritt, were men of the finest capacity and onset, it is not too much to claim that his

organizing capacity and fine intelligence, transmitted to the Army of the Potomac, was felt to the last day of the war. He was not adventurous—no mere raider; he was a General—and although more dashing soldiers stand out more conspicuously in men's conception of the closing year of the war, yet Torbert, without the least ambition for personal mention, is remembered in many a discriminating head as one of the formative powers in the crushing of the rebellion.

The brilliant operation of capturing Strasbourg followed, by flanking it on the right, along the mountain side. Here the cavalry were used in conjunction with infantry to drive back the heavy skirmish line of the enemy which almost turned Sheridan's right. While this was being done, the enemy were diverted from observing our infantry, which passed around still further from the right, and all that night unseen were dragging artillery along the mountain side, the noise of their operations concealed by strong shows of attack in front. The next morning this outflanking was still secretly going on, and late that afternoon the Union infantry burst from the forest on the mountain, taking the Rebels in flank and rear, and with a shout the whole Army rushed into Strasbourg, capturing artillery and the enemy's breastworks, and with sixteen guns, eleven hundred prisoners and great quantity of small arms. This second victory of Sheridan was achieved at a loss of only forty men. Early had lost seven thousand prisoners, including wounded, in five days. The whole Union was again fired with joy by this brilliant success, and Grant at Petersburg, saw that he had men in the valley who would soon rid him of any enemy in that quarter—the weak spot of the Union through the war.

Torbert and his cavalry now pressed the astonished

and harassed enemy many a mile, capturing the hospitals crowded with wounded at Mount Jackson, and having a running fight of almost the dimensions of a battle, the forerunner of that great pursuit of Lee's army after the storming of Petersburg down to the surrender at Appomattox. They fought through the town of Newmarket with the rebel rear guard, and on the 25th of September, only a week after the breaking of camp at Charlestown, Torbert was in Harrisonburg, sixty miles above Winchester. The whole Army were in the pursuit of the rebels, the artillery taking the turnpike and a double file of ambulances and baggage wagons also, the infantry in many parallel columns, marching through the limestone fields, and the great lines of cavalry out in the front, followed by a skirmish line of infantry and cavalry on both flanks from the North Mountain to the Shenandoah. The only injury the rebels could inflict on the victorious Army was as guerillas in citizens' dress around the camps, and they nearly captured Gen. Torbert one night, he being saved only by his skill and enterprise as a horseman. Part of the cavalry went as far as Staunton, which is 126 miles up the valley from Harper's Ferry. The Army turned about on the 1st of October to take position at Strasburg, midway of the valley, and now ensued a work too long postponed, which was to strike a deadlier blow at the rebellion than any victory in the field—the destruction of the commissary resources of this abandoned valley.

Wasting the Valley

To the cavalry, moving faster than the infantry, was given the piece meal performance of this stern duty. Gen. Torbert had relatives in Virginia, and his heart

might have flinched before this melancholy task, if his excellent head had not shown him that the surgeon's knife works cruellest when most pitiful. A certain number of mills where the grain was stored, a specified number of wheat stacks, and cattle and sheep sufficient for the wants of the people of the valley, were saved by instructions and design, but all other mills, barns, stacks, and granaries were burned, and all other cattle and sheep driven before the cavalry down the valley. Seventy mills creaking under their store of wheat and grain, more than two thousand barns filled with wheat, hay and utensils, were given to gun-powder and the flames. More than seven thousand cattle and sheep were either driven off or killed and issued to the men. It was a suggestive picture of war, that one of the tenderest men who ever lived to do battle and born himself, a hundred miles below Mason's and Dixon's Line, should have seen so well the value of the Union and the military science necessary to preserve it that he calmly carried out his orders to the letter, but with so little error of passion or personal delight in the work that to this day in that valley the name of Torbert is hardly known as the torch bearer of Sheridan. Today the valley is smiling again and blessed by the hand of affluence, and the Pennsylvanians—and Delawareans, too—are moving in to occupy the ever fructified farms in the embrace of those long mountains. In six months from this violation of the valley the shout for peace overspread the South; the war was ended and the harvests were renewed. But as Sheridan's army retired down the valley hundreds of refugees gladly accompanied it, leaving their houses and their farms to find relief in the North, and Torbert's heart was touched for these. He had not been radical at the beginning of

the war; he was not radical in anything by impulse; but, as in the Military Academy, the war brought its instruction to him so quietly, yet so deeply, that he died with a conviction that the civilization of the North must reach every part of this country, if it would be either safe or happy.

As the army approached Strasburg Sheridan ordered Torbert to discipline the rebel cavalry, which was annoying our rear guard. Torbert placed his dashing lieutenant, Custer, in wait, and they not only charged the mounted enemy, but drove him twenty miles up the valley beyond Mount Jackson, and took eleven pieces of his artillery and three thousand prisoners.

Not more than one week was passed in quietness along the banks of Cedar Creek when the battle of that name occured. General Sheridan had gone off to Washington to discuss plans of future campaigns and General Wright was in temporary command of the army when the army of Early, reinforced by Longstreet's corps of sixteen thousand men, undertook to "get even" for the late disasters. Early had picked his army up and put it together back about Lynchburg, and the moral effect of the Federal victories and the extinction of the commissary resources of the valley had compelled the rebel government to make another campaign in that direction.

Cedar Creek

General Wright and General Torbert were both brave, beloved men; there was never the least debate between them or their friends as to their relative influence in the battle of Cedar Creek. Torbert never spoke about it, never claimed anything, and would have been ashamed to appear in the newspapers among the greedy

claimants of military glory, and the same can be said of General Wright; but a good many authorities on the battle have always regarded General Torbert as the man who held the tide of devastation back till Sheridan came up at the end of his celebrated ride, and turned a reverse into a glorious victory. No military papers were left by General Torbert; he had a practical head directed upon the end in hand and not upon posterity; but it is admitted that the Sixth Corps itself was to some extent stampeded in this battle and driven at least two miles to the rear, while the historian of that corps relates the following points in favor of what stand the cavalry was making while the infantry was asleep.

Doctor Stevens relates how the three corps of infantry, with the cavalry extension of Custer on the right, and Powell on the left, reached almost from North Mountain to Front Royal—fourteen or fifteen miles—following the course of Cedar Creek and of the Shenandoah North Branch. For several days the enemy tried the Federal lines that were posted by Sheridan, at various points, to ascertain the exact position of our troops; for it had been resolved by General Lee that it was absolutely necessary for the safety of Lee's army to destroy Sheridan. Longstreet's corps had always been the finest in the Southern army. Therefore, advancing in the night, along the side of the mountains, a rebel division crossed the North branch at midnight, leaving even their canteens behind them for fear of betraying the movement, and in the midst of a dense fog. They captured the infantry picket force, and at daylight rushed into the Union infantry camps, while the sleeping soldiery were unable to comprehend whence came the storm of missiles launched upon them. Says Doctor Stevens: "At 2 o'clock

in the morning we heard rapid firing where Custer, with his horsemen, held the right, and on the left where more cavalry was posted, but turned over in our blankets and said 'the cavalry are having a brush,' and went to sleep again." The cavalry all through that night was being pressed at various points, but was holding its ground. The 19th Corps of Infantry was first stampeded, and the 8th Corps followed, and their batteries were used by the rebels against the 6th Corps, which, under General Ricketts, was faced to the rear, and he being wounded, General Getty took command of the corps. This magnificent infantry corps, as soon as it could understand where the enemy were and what the situation was, got ready to deliver repelling blows, but it was the task of the cavalry of Torbert to hold the roads open and go to the assistance of the infantry aggressively. The historian of the 6th Corps says: "The cavalry on our flank—and never braver men than the cavalry of our little Army mounted saddles—were doing their best to protect the pike leading to Winchester, and it was the great aim both our cavalry and our single organized corps of infantry, to hold the pike; for on this depended the whole safety of the Army, and perhaps of our cause." After the cavalry and the 6th Corps had turned back several terrific onsets of the victorious enemy, General Wright ordered the line of battle to be moved back to about Middletown. Doctor Stevens remarks: "The cavalry had never for a moment faltered, and it now took position with our reformed corps—Crook on the right and Merritt on the left."

This was at 10 o'clock in the morning. It was at this time that Sheridan made his memorable ride from Winchester and came upon the ground while the 6th

Corps and the cavalry were cooking their breakfasts, and with his lightning disposition Sheridan cried out: "We'll whip them yet, and sleep in our old quarters tonight." The infantry were then collected—even the stragglers—and again with the cavalry in masses on either flank of Sheridan's Army moved on. They first received the rebel attack on their right, and repelling it at 3 o'clock in the afternoon—nine hours after the first stampede of the morning—the whole line of battle swinging on a pivot, broke down the rebel defence, burst through their lines, chased them across Cedar Creek, and then the pursuit was given over to the cavalry, with Custer in the front.

The trophies of this battle were gathered by the cavalry—forty-five pieces of artillery taken by Custer, seven by Merritt, and battle flags, arms, wagons, and prisoners by multitude. The cavalry kept up the pursuit as far as Mount Jackson, nearly thirty miles from the place where the lines had been reformed. Torbert gave the enemy no rest. Those who did not escape into the mountains were followed up by such blows as Cromwell gave his enemy with his iron side horse, and for days and days, the prodigious scout was continued, till Early was extinguished and no more in command on the face of nature.

Sheridan's Army went into camp at Winchester, where they remained till Grant called them to extend his lines before Petersburg. No part of the war in the East was so brilliant and romantic as that of the Army where Torbert was the cavalry arm during this wonderful campaign. In just one month—between the 19th of September and the 19th of October—the battle of Winchester, the battle of Strasburg, the two battles of Cedar Creek, and two successive cavalry campaigns up

the whole length of the valley, resulting in its extinction as a source of supplies and the extinction of any armed enemy in it had occurred and when this victorious cavalry, together with the infantry, by whose side it had fought, had made the great raid on Lynchburg and Richmond, and joined Grant's Army, the cavalry which Torbert had taught did the steadiest and heaviest work at Five Forks, charging the breastworks on foot, and then remounting, chased the Confederacy to its last ditch.

Colonel Michael Sheridan, brother of the Lieutenant-General, says of Gen. Torbert: "It is possible that my brother and Torbert knew each other at West Point; for a year or two they were in the institution at the same time. But when Gen. Sheridan came East to take command of the cavalry corps he found that Meade had already placed Torbert in charge of a division of it; so when he took the cavalry over to the valley, Torbert, as the ranking officer, was put in command of all the cavalry there. While he was not a man of great original enterprise, no one would obey orders more faithfully, and Gen. Sheridan has said that one reason why he liked Torbert at the head of the cavalry was his literal fulfilment of instructions. I do not think that the system of fighting cavalry on foot was anybody's invention especially; it grew out of the nature of a wooded country where you could not get your horse through and had to dismount them to penetrate the woods. It was, however, carried to high efficiency while Torbert had the cavalry. There never was any difference between Sheridan and Torbert. At the time we made our long raid from the valley to the James River, with the intention of going to Sherman's Army—though as we were unable to cross the James we turned back and joined

Grant's—Gen. Torbert was absent on leave and could not go with us; otherwise he would have been very prominent in the movements preceding the surrender of Lee."

Torbert's Youthful Nature

It is our duty in presenting Gen. Torbert's character to the reader, to admit that in one slight point of temperament he probably stood in his own path; this was described by his associates as "boyishness." While an active, energetic soldier, and loyal to his brigade, his commander and his country, he sometimes, though not at serious times, had relapses into lightsomeness. While not at the point of responsibility his mind did not carry the burdens there, and hence he would sometimes get leave of absence to go and visit somewhere in the North, when his ambition should have directed him not to lose, for one moment, his relation to the great epic occurrences now hastening to their splendor.

Gen. Martin McMahon, John Sedgwick's chief of staff, gives an instance of this kind. Mr. Lassell, a comrade in arms, was about to be married at Hagerstown, Md., and Gen. Torbert became his groomsman. In the midst of delightful ladies' society, in which Torbert was so popular, he spent his week, or two weeks of leave, and wrote to have it extended, which was done. He was then due in another day at his command, but as no active operations were going on at the time—the corps then laying about Brandy Station, he wrote to Gen. McMahon saying that he was in the midst of such enjoyment that he wanted McMahon to ask the General to give him five days more. Taking the best opportunity he could get, McMahon said to Sedgwick: "General, here

is a letter from Torbert." "Well?" spoke Sedgwick, looking up with interest.

"He wants his leave of absence extended five days."

Sedgwick dropped his eyes and went on with his occupation. When it was over McMahon said: "General, there is Torbert's letter. How shall I answer it?"

"I don't care how you answer it!" replied Sedgwick curtly.

"Well, General Torbert is such a good fellow when he is with us, and enjoys himself so much in these little excursions that he would be gratified, I know, with this extension."

Sedgwick looked up and said: "Of course he can have his five days' extension. But, McMahon, Gen. Torbert ought to be old enough now to be over this sort of thing."

Let it be borne in mind that at all times and places, Gen. Torbert's temperance amounted to abstinence, but there was just enough of the cavalier in him to show the Southern touch in his blood. It is related of the enemy's great cavalryman, J. E. B. Stuart, that while he never drank a drop, he would halt his large command almost anywhere to have a frolic and dance with the girls. The society of refined, accomplished ladies, and of his equals among men at the table, touched the warm spot in Torbert's fine soldier's nature.

The same authority relates that he lost that magnificent opportunity to close the war at the head of the cavalry, by going on a leave of absence at a misplaced time. He had won a reputation in the valley, had destroyed Rosser in the sharpest cavalry battle of the war at Round Top, and had chased the flying command out of existence, and there being nothing else to do General

Torbert, having warm invitations to come to Philadelphia, obtained two weeks leave of absence. He was dined at the Union League Club and at private houses among the most agreeable people; his mother and sisters were in Philadelphia; but when he returned to the valley Sheridan was gone. The cavalry had been ordered to make a great raid to join Sherman, and if Torbert had been present he, and not Sheridan would have led the raid. General Sheridan saw the importance of the movement and the part it would play in closing up the war, and was glad enough to lead his own cavalry. Torbert arrived where, of late, the Army of the Shenandoah and his magnificent cavalry had been encamped, and there was little left there but a small command, the hospitals and the debris of the late pageant. And there he had to stay in command, but of nothing, for the enemy had been effectually cleaned out of that valley, while Sheridan was on the James, cutting canals and railroads, and again on the Pamunkey, crossing at the White House, and then, with Grant, before Petersburg, he immediately began an extension of the line, the capture of the enemy's flank, the taking of Petersburgh, and that great pursuit which brought Sheridan out as the second name and fame in our military history.

It was not the avoidance of duty, the love of the table, nor anything which could detract from the harmony of General Torbert's character that lost him this last great chance; his very excellence of nature made him so beloved that it was his misfortune to be missing, though on proper leave, at the commencement of the last act of the great struggle. For no other reason are some of the present facts new to the public, because if Torbert had been at the head of the cavalry to the

last, these narrations would now be household property. As at West Point his companions called him "Daisy," so the word "boyish" has survived him in the stories of his companions in arms.

After he took command in the Shenandoah valley on the 23d of April, 1865, he had three divisions of cavalry, one of infantry and six batteries, till the Army was broken up, and then he was assigned command of the district of South Eastern Virginia, with headquarters at Norfolk. He was relieved from that command and mustered out of the service of volunteer rank in December, 1865, went on a long leave of absence, and in November, 1866, resigned from the Army.

As a disciplinarian, as an adjutant-general, as the moulder and fighter of the best brigade in the Army of the Potomac, as a division commander, as a tactician, and as a general of cavalry, Alfred Torbert was the greatest name in the service East of the Alleghanies at the time his active military life ended, except Philip Sheridan. If he had been more avarcious of fame, more suspicious, more aggressive, more restless, more sordid, he might have left a name whose mental and physical proportions would have dwarfed the apparition of his kindness, his sincerity, his freshness, his sweetness, and his loyalty, which is dearer to his friends than if it came to them in Caesar's laurels. At the close of the war he was so much beloved that his honors seemed almost irrelevant. He passed into citizen life like a boy at the end of college into everlasting holiday.

Marriage and Diplomatic Life

General Torbert's social nature met with the reward of a congenial and happy marriage to a lady of his na-

tive State the year after the close of the war. At the respectable town of Milford, Delaware, Miss Mary E. Curry, the only daughter of a merchant farmer, and educated in St. Mary's Hall, New Jersey, while Torbert was commanding the Jersey brigade, accepted his addresses and name, and her home in Milford became his point of citizenship and her several farms thereabout his business care. Milford was laid out about 1780, and named from some large mills erected at the ford over Mispillion Creek, by an Episcopal rector. It was described in 1878, by Samuel Paisley, its octogenarian, as "famed for its ship building, its white oak, the urbanity of its inhabitants, its muskrats, mosquitoes, fruit, and the cupidity of its people; for we are no more like the people forty years ago than day is like night." The best of good things to eat and to hunt were found in those loamy levels; twenty miles distant was the pretty State capital of Dover, of which the political opponents of General Torbert's party had recently gained control; reposeful as the retired soldier's nature was, it soon awakened from this scene of creeks, marshes and orchards to ideas of a civil career, and he was sent to San Salvador as Minister by General Grant in 1869.

General Horace Porter gave the writer his estimate and recollections of Gen. Torbert a month after his death; "I did not know Torbert very well in his Army life. I think Gen. Grant only began to know him toward the close of the war, when he did such effective work with the cavalry. Torbert was a gentleman, and impressed everybody as such, and his appointment by the President to one of the Central American missions was based on this feeling—that he had been a good officer and

would be a gentleman anywhere. He had married and resigned from the Army. I think he soon found his conceptions of pleasure in one of the Spanish-American missions dispelled, and was desirous to get out of it. A vacancy happened in the Consulate at Havana, and Grant thus found the opportunity to transfer him to a more cosmopolitan place. He made a good Consul, as everybody said. When Meredith Read left Paris to take the Greek mission, applications in Torbert's behalf for Paris were numerous and strong. I recollect that he had an unusually high and wholesome backing. The appointment was one of those rather made outside of politics. He was known to be a Republican, but not an active politician, and his rank in his own State was so high that I recall no political complaint against his receiving these successive honors. Gen. Grant became more intimate with Torbert after resigning the Presidency and going to Paris. There Gen. Torbert had the hospitality and thoughtfulness of a prince. When I went over to London he sent me word that he would give me every assistance, and I replied that my stay would be very short; but a few days or a week. He met me at the train with a carriage and took me from the depot to a dinner party he had already assembled, and from the dinner we went to a box at the opera, and I think it impossible for any one to have seen Paris as fully as I did through his knowledge of it and his method. He was of the highest social popularity, enjoyed life, and was thoughtful and refined. As to his mind and character, I think he was not a general reader and without much literary inclination, and of course was not a brilliant conversationalist. He kept in the channel of daily reading and had good judgment. But

I think above all things loyalty was his characteristic, and a better word is not in our language; loyalty means faith, hope and charity. Torbert was loyal in the war to his country; loyal to his generals, one after the other, when many officers were fault-finding; loyal to his party when others were restless and discontented. He had no ambition that ever affected his loyalty. The circumstances of his death were so frightful, that although there was not a witness of it, we see his struggle all night in that terrible ocean by the light of what we knew of him and by the deposition of his warm body on the beach. He had fought nature serenely all night, and we can almost think that he fought her in all her horrors and tortures with a smile on his face. There are tight places on the battle-field, but Torbert died in such a battle as few have ever seen, cheerfully and alone, thrown up and down hour after hour by those prodigious waves, and yet he had so nearly come off triumphant that he reached the surf and there was struck and stunned by floating timbers, and a boy pulled him up on the sands and ran for aid, and when they came back his heart was warm, but still."

Mr. Hitt, the Secretary of Legation in Paris, was on a returning steamship with the writer, and much of the way over from Europe Gen. Torbert had been the subject of conversation in this state-room on deck till the pilot brought on board newspapers giving an account of his shipwreck. I recollect a few paragraphs of Mr. Hitt's reflections: "Gen. Torbert was the most popular Consul the United States probably ever had in Paris. The French like military men, especially if they have been in notable battles and are distinguished. Such foreign officers as the Count de Paris, who had written the

history of our war, were acquainted with Torbert's career, and it was thought a compliment to France to send them a man of his military consideration. They found him young, amiable and of good presence, with none of the angularities expected in Americans. He had no whims nor humors, and enjoyed the day in which he lived and the best of it. He liked good society, and strong and vivacious men, and was tender to ladies; as a host delightful, and there was spirit in him, too, which hardly ever required the assertion of it. People saw that behind the gentleman was an officer. In his day the American society in Paris was at its best; soon after his recall various circumstances combined to weaken the American colony and bring its best families home. Gen. Torbert had an equal temper, regular health, and he was the charm of all society there. He never thought or spoke about himself, and his death will affect a wider circle of well-bred Americans than any one which has happened in public life for years."

At the funeral at Milford, Delaware, were several French gentlemen visiting the United States, and many American residents of Paris during Gen. Torbert's consulate.

Mr. Walter H. Gilson, who was a friend of Torbert for years, said of him: "I boarded at the San Carlos Hotel in Havana a long time with Torbert. He was the most popular consul and the most useful we ever sent to Havana. The merchants always found him attentive to their interests, discreet, expeditious, and effective. I had a great deal of business transacted through the consulate, and remarked his fine business mind. No merchant in the counting house could have taken to his duties more congenially. He acquired

Spanish at West Point, and his good address got him ready audience with the Captains-General. There was not a great deal of diplomatic business to do in his term, and he was strictly the Consul. Sociably he was popular, and although it was a time of insurrection and excitement, Gen. Torbert's relations with the best class both of Cubans and Spanish, were of the best. He never talked about the war or battles at all, never spoke of himself at any time, and never passed any criticisms on any of his superior officers, whatever party, clique, or associations they were of. There was no meanness in his composition, no envy, nothing small. He did not regard himself as distinguished, nor as exceptional in any way, though he had a due pride of character. Some persons thought he was haughty, but this was only a temporality of his military education. I remember once that a gentleman called upon him at the consular office while Torbert was deeply engaged in business, and after waiting a good while went away mad. He thought Torbert a cold, indifferent man. That evening, however, he found the General's card inviting him to dinner next day, and learned, as every body did who was a gentleman, to like and appreciate him.

The American sea captains at Havana lost not only a strong Consul but a Counsellor and Advocate when Gen. Torbert was transferred. He saved them large sums of money by interposing between the thievish practices of the Spanish authorities and the Spanish merchants at Havana. American vessels would arrive laden with flour, breadstuffs, merchandise, or general supplies and being without wharves to unload, had to anchor in the harbor, and it was the interest of the Spanish consignee to keep the goods on board until he could find a pur-

chaser who would then have them unloaded and pay the storage in bond for them. The lighterage system of Havana is performed by a monopoly, and costs extravagantly. The merchants would arrange with this monopoly to claim that they had not the lighters to do the work, and therefore it was no fault of the consignee that he could not get the goods off. Of course to delay a vessel beyond her reasonable term of discharging cargo is to establish a claim for demurrage from her owners. Such claims almost invariably had resulted in getting no damages until Torbert took hold of the matter. The ship captains whom he often invited, when they were men of good appearance or respectable characters, not only to his hotel but to his table—giving them the hospitality which was the law of his origin in Delaware and Maryland—stated their cases to Gen. Torbert, and he would go to the consignee and say: "It is very easy for you to get lighters if you want to. You shall not plunder American shipmasters in this way. If you don't have those goods taken off by a given day I will send that vessel back to the United States with her cargo, and she shall unload there and the freight be attached for the amount of demurrage you owe her." He would thus force them into compromise, so that captains who had been in the habit of getting nothing got fair compensation for their time. The Spanish officials recognized Torbert's efficiency to that degree that when he went away they said that the General "never went to the Custom House but he meant business."

Mr. John R. Young, Gen. Grant's newspaper companion around the world, says of Gen. Torbert at Paris: "He was almost womanly in his affections. When

Grant left Paris amidst a crowd of distinguished farewell-takers, Torbert's pride in his old commander and in the compliment, filled his eyes with tears. He was so modest that you might go with him a whole year and never know he had been in the war or the Army. His reading was not general, for conversational display, but was West Point reading, the prolongation of his studies there. It was good reading, and he readily took to any subject. Harmonious, thoughtful, beautiful character, not brutalized in any trait by war, is the recollection Gen. Torbert has left on me."

Mr. E. A. Buck, who was an intimate friend of Gen. Torbert for the last two or three years of his life in Paris, as after his return, says: "Gen. Torbert had been so long in routine life—the military, diplomatic, and consular service—that he had somewhat lost confidence in himself to undertake business on his own account. He remarked that he hardly knew whether he would ever be fit for commercial enterprise. His influence in Paris arose from his habitually excellent manners, military reputation, and the honorable use he made of every courtesy. He could get American friends into places where the diplomatic corps were often refused. His salary of $5,000 did not meet his expenses, though apart from whatever he considered his social duties, he was a careful and frugal man. He accepted no hospitality which he ought to return without returning it in the fullest. He disliked to speak of the military reminiscences, was without assumption, had the language of an educated man but not a studious one, and was honorable in every relation. I never knew a man his superior if he agreed to undertake to do anything; he obeyed orders to the letter. He was a Republican, and had a

belief that the French Republic had come to stay a good while, and predicted that Gambetta would be the leading man in it. He went to Mexico on behalf of international railroad communication. His relations with Gen. Grant were very close after Grant went to Paris and returned to America. As he came out of Mexico Torbert met him at Manitou Springs, Colorado, and accompanied him a considerable part of the journey. Gen. Torbert desired to live in New York, and would have done so if his fortunes had improved. There was much competition for his office in Paris, among both the fashionable and the political class, and I told him that its salary and its worry were not worth his time. He was president of a mining company in Colorado, organized by Philadelphians, when he started for Mexico."

His Shipwreck

Gen. Torbert resigned the consulate at Paris on account of the complications of President Hayes' election, which necessitated the making of some foreign appointments from Southern States, and as the General had but small political fellowship, and his friend Grant was not on the spot, the appointee from such a little State as Delaware had to give way.

On his return to the United States he began at once to look about him for business openings, and went to California to enlarge his knowledge of the West, of the resources of the country, and of business instrumentalities. Those who knew him best say that he was always prudent and reserved in talking about his own affairs, and while he made no daring impressions on capitalists, he grew in their estimation and confidence. Among various propositions made to him was one to go to the

city of Mexico as an engineer, and report upon a scheme of construction there. His last political employment was as member of the National Republican Committee from Delaware, to be present in Chicago during the convention which nominated Gen. Garfield. Gen. Torbert was in favor of Gen. Grant, but the Delaware delegation was in favor of Senator Blaine. Fulfilling his commission, Gen. Torbert acquiesced in the Republican nomination, and among his last utterances in the country, at a period when his party seemed about to go into a minority, was as the expression of confidence in its impending success. He bade adieu to his wife without any apprehensions, as they were both experienced travelers, and came to Jersey City on Tuesday night, August 31. There he stopped with his friend Gilson, who had been intimate with him for years in Havana. Mr. Gilson went to the steamer next day, Wednesday, to see the General off for Mexico. Mr. A. R. Owen, of Chester, Pa., an engineer, was a fellow passenger. Before the ship sailed, about five o'clock in the evening, Gen. Torbert was introduced to Mr. Attridge, also going out on the *City of Vera Cruz*—the father of the little boy so touchingly associated with the General's death. Gen. Torbert expected to be back in about six weeks or in time to vote at the Presidential election. In less than four days the body of General Torbert was to reach the shore at the extremity of his country, but never again to speak to any person upon it.

As the steamer sailed down the bay that evening, General Torbert looked out upon Fort Columbus on the green terraces of Governor's Island, where he had been assigned to duty on receiving his first promotion in 1855, and had joined the 5th Infantry. Twenty-five years had intervened; his military life was done, and at the age of only forty-

seven, there seemed yet a career before him and many years of life. He had a respectable local patriotism, and reminded one of his friends just before he sailed that he had often asked him to come down to Delaware and take one of his farms and enjoy living.

Rain and a wave of cold weather accompanied the steamer down the coast from New York, and the vessel leaned heavily to starboard on account of the wind and the sea. Everybody felt uncomfortable, but on Friday the tables were deserted, as the dishes and meats went flying. On Saturday morning the Southeast wind was vehement and the sea high, and again the rolling of the ship cleared the tables of the people. About one o'clock that day Captain Van Sice said to his first officer: "I have just noticed that the barometer is falling rapidly. We are going to have a hurricane." At once sails were taken in and deck freight thrown overboard, and in about half an hour the storm came and threw the ship almost on her beam ends, so that the hurricane deck was kissing the water. At the same time the rain in sheets came down, and the frightened people generally left their staterooms and sat or lay on the floor of the saloon, several of them having wounds and bruises. General Torbert had a state room on the port bow; he was washed out of it on Saturday evening, when he came to a saloon state room where his companion, Owen, was quartered. He was bleeding from a wound on the right cheek made against the table during the afternoon, but his spirits were of the highest and his voice the most amiable in the ship. While Owen and Torbert were lying in one berth in the former's state room—the upper berth being wet with water—and the ship tossing about vividly, the conversation of these two men turned on politics. Owen said: "I will go down a Greenbacker any way." Torbert said: "And if I go down I will go down a good Republican." These

reminiscences were related by the survivor to Mrs. Torbert at Milford.

On Sunday morning, while the General was still in good spirits, cheering the passengers and comforting women and children, a heavy sea came over the port side, found its way to the engine room, and put out the fires. The captain then made his headquarters in the engine room, and the fiscal officer of the ship called on Torbert and stated that the passengers must come help the crew or the vessel would go down. For half an hour the General and the other passengers were baling the water out of the vessel in buckets, as the donkey engine would not work.

It was now between two and three o'clock Sunday afternoon, and Torbert and his friend, meeting again in the saloon, agreed with each other that the ship was filling with water and fast going to pieces, and that the worst must be prepared for. They obtained life preservers to fasten on the women and children, and all this time the sea was breaking over the vessel and coming between decks, she being unable to keep her head to the storm, which had become terrific, every fury in the elements attending the waves, the rain, and the wind, and most of the time the vessel lay flat on her side; the great seas made the ship reel as if in a dying spasm, and the wind in the rigging howled and whistled as if in a rejoicing requiem. The rain is said to have cut like hail, and in the thick storm the passengers could see hardly the length of the ship.

A little after four o'clock, while Gen. Torbert and Mr. Owen were lying in the one berth with their life preservers, a huge sea struck the engine room and burst into the saloon like a deluge, making a sound like a battery of artillery; the tables and doors, the passengers' baggage and utensils were all dashed into a mass. Of course the two men arose and in a few minutes Gen. Torbert came into

the presence of his friend with a little boy about nine years old and said: "Romeo, you and I must take this little boy and care for him between us." Mr. Owen protested that it was a mercy to let the little fellow go down with the ship, as in fifteen minutes all would be over. Torbert replied: "I can't leave this dear little fellow behind; you and I must save him if we save ourselves; take him in your arms until I come back." It is supposed that the General had an idea of getting his money (about seven hundred dollars) and putting it on his body. He had scarcely gone when another terrific sea came tearing through the saloon, knocking Mr. Owen down and the child with him, though the child was picked up by a sailor.

Mr. Owen now cried to the General to save himself and repaired to that part of the ship called the "Social Hall." He heard Torbert's cheerful voice crying: "All right, I will go aft and meet you above." Thus, unconsciously, the General expressed his fate and his hope, for he was never seen again by his friend until they were thrown on the beach at Florida, one just dead and the other living. It is supposed that General Torbert, undertaking to attend to some piece of business or humanity, tried to get on deck by the aft stairway and was washed overboard. He was next seen just after the ship sank, endeavoring to climb on a piece of the wreck, and one of the engineers assisted him, greatly exhausted. There were three persons on that raft and the General mentioned his name and said that he was almost worn out, and while they were talking together in the midst of the tremendous seas the raft was upset and Gen. Torbert and one of his companions disappeared, never again to be seen alive.

Dead

The remaining passengers gathered at the top of the main saloon stairs, and calling their sad good-byes to each

other, tied on their life preservers and without any unnecessary emotion prepared to take to the water. In endeavoring to prepare the boats most of the officers were lost. At about six o'clock in the morning the ship went down, breaking in the middle and filling the sea with fragments. Men, women, children, horses, rats, cats, trunks and stores made a huge medley on the surface, and the waves, in peaks like mountain tops, were throwing the passengers against floating articles, and it is said that the wind would take up planks from the crest of the waves and blow them through the air, often to kill people. In a minute everybody in the water was suffering from cuts. The little boy that Torbert had tried to save was seen by a survivor floating near his father, but on a separate piece of the wreck, and the assurance of Gen. Torbert seemed to animate him still, for he was calm and handsome. The sea, however, was warm, though the wind and rain were cold, and the day was dark as the night. Salt got in the eyes of the struggling people and blinded them, and yet their appetites were so strong that they ate the floating fruit and vegetables, and talked whenever possible all through the night. Those who reached the breakers turned over and over and their rafts broke to fragments. Gen. Torbert went ashore at New Briton and was discovered floating in the surf about eight o'clock Monday morning. A native pulled him ashore, and then two natives, finding his body yet warm, undertook to rub him. His pulse was beating, his body was warm, and the blood was running from a wound over his right eye. It was believed that he reached the breakers in good health and was there struck in the face by a fragment, and stunned and drowned before he could recover his volition. His life preserver kept his head partly out of the water, and his shoes were on his feet, a ring on his finger, and he wore his masonic badge on

his breast, and his letters were found in his pants pockets. All efforts were unavailing, and the body was soon cold.

It was placed in a boat by Mr. Owen, who had been saved, and taken down the Halifax river to Daytona. Mr. Owen says: "It was sad for me to sit there on that quiet night beside that quieter body. The General and I had been travelling companions most of his last month on earth. He was a man of sterling qualities, generous to a fault; a man one soon learns to confide in and to love. He was confident of weathering through the storm, while I was certain that my end had come. How strange that he should be there and I here! That I should live, and he be dead!"

On Wednesday, the first day of September, he was laid in a grave under palmetto trees in a garden, buried in his clothes and sewed securely in a double blanket, with his life preserver under his head.

The body of Gen. Torbert was disinterred and placed on the steamer *Western Texas* at Jacksonville, and arrived in New York City, September 29, where a military escort took it first to the City Hall and next to Trinity Chapel in Twenty-sixth street. After addresses and honors, the body was carried to Philadelphia and similarly received, and then buried in Milford without further exposure, amidst military and memorial services, and attended by more people than ever assembled about any grave in the State.

Gen. Torbert was above medium height, of roundish but not heavy figure, of dark brown hair and whiskers, combed outwards, Russian style, from the goatee and moustache; his skin was of an olive tint, and his eyes were dark grey. He was always neat, but seldom of pronounced military carriage, and his eyes were playful except at rare times. He always looked the military man or the gentleman hunter on horseback, and his mind seemed to rise to buoyancy and enterprise when he was mounted. He was growing balder

as he advanced in years. He was pure in his heart and speech; amiable to the weakness of others, but self-restrained; never critical nor severe, and he protected any he knew from pain by a careful thoughtfulness which is remembered with tears. A few thought him indolent because he was not restless. Some said he was not without ambition, but he had so little that was crowding and jostling in his disposition that others thought him negative. No doubt the quiet circumstances of his origin in a society where wilful force is rather a disqualification, kept him back from the self-assertion of his Northern companions-in-arms. He would have relapsed into a genial, hospitable Delawarean again but for his popularity in larger society, which acted as a spur somewhat, and tempted him to travel and new engagements. The consenting and commanding qualities in Torbert were compounded into perfect loveableness, and his death brought to his country's notice nobilities and appreciation he had never intended for it. Lying on the sea beach, with a heart still warm for the human world he loved, the meteor cavalryman

> did not heed
> The sudden silence, or the whispers low,
> Or the old eyes dissolving at his woe,
> Or anxious calls, or close of trembling palms,
> Or maidens sigh, that grief itself embalms;
> But in the self-same fixed trance he kept,
> Like one who on the earth had never stept.
> Ay, even as dead still as a marble man,
> Frozen is that old tale Arabian.

GENERAL TORBERT'S FUNERAL

The steamer *Western Texas,* of the Mallory Line, which left Jacksonville, Fla., on Thursday afternoon, Sept. 23, and Port Royal, S. C., on Sunday, did not arrive off the New York bar until about midnight, Sept. 28. She reached her pier, at the foot of Maiden lane, at 7 o'clock. Mr. J. F. Swords, United States Consul at Sagua La Grande, Cuba, and Secretary of the Executive Committee of the General Committee of Five from each of the States of New York, New Jersey, Pennsylvania and Delaware to conduct the funeral, was on the pier, and also a platoon of police, under Sergt. Gastlin. Mr. Swords presented the usual documents from the Board of Health to Captain Isaac Hines, commanding the steamer, and the body was at once taken ashore.

So heavy and cumbrous was the coffin that it required a dozen of the sailors to handle it. The outer case was a heavy planed but unpainted pine box, with stout iron handles. It bore in a place cut into the wood the ordinary declarations of the health officers of Jacksonville and the faded roses and evergreens just as they were placed upon the casket by the young ladies of Jacksonville. They were in the form of wreaths, and in the centre was an anchor of evergreens and flowers. The people of Jacksonville rendered great honors to the memory of General Torbert. The body arrived there from St. Augustine the day before sailing, and was taken, with military escort, to the armory of the 1st Florida Artillery, where it lay in state all night in charge of a guard of honor. About half an hour before sailing the body was escorted through the streets of Jacksonville by the military, a band, etc., and then given in charge of Captain Hines, no committee accompanying it.

When the remains were upon the pier at New York,

Mr. Swords directed that the lid of the outer case be taken off. It was supposed that the casket, known to be hermetically sealed, could be taken from the pine shell; but a case of zinc enclosed the casket. This zinc was then cut, and it was found that the coffin had been imbedded in charcoal, so the casket was not taken out. It was a disappointment to those who had hoped that the embalming would permit a view of the General's face; but his terrible fate in that awful hurricane, and the rough handlings of the body by the seas when life had departed prevented this, and so the pine box was taken from the pier and placed in the hearse, and the remains were escorted to the City Hall by the police. Here the cortege was received by a detail from the Old Guard, Maj. McLean commanding, and a detachment of the First Troop of Philadelphia City Cavalry.

The body was taken to the Governor's Room, in the City Hall, at about nine o'clock, and lay in state until 10.20. The casket was entirely covered by a pall. Over the doorway was mourning drapery, and at the head of the coffin were the coat of arms of the city, State and nation, draped in mourning. The flags on the City Hall were at half-mast. The following detail of the Old Guard acted as a guard of honor: Sergt. T. V. Smith, Corpl. E. B. St. John Henriques, Privs. Joseph W. Torrey, Charles H. Whitefield, Walter Scott, Joseph H. Horton, Dyer Brainerd and John E. Bazley. The First Troop of Philadelphia City Cavalry, one of the oldest organizations of the kind in the country, were also in the Governor's Room. They consisted of ex-Sergt. J. R. Wilkins and Privs. Craig, Wilson, Graw, Fotterall, Struthers, Gondard, Neill and Rulon. They arrived at half-past nine o'clock. They made a showy appearance with their top boots and spurs, skin-tight white trousers and bear tufted caps. There were also three sergeants and three corporals representing the 1st Artillery, U. S. Army.

The pallbearers assembled in the Governor's Room. They were: Gen. G. B. McClellan, Gen. D. E. Sickles, Gen. A. S. Webb, Gen. Wm. F. Smith, Gen. J. B. McIntosh, Gen. John M. Corse, Gen. Chauncey McKeever and Admiral Wyman. About half-past ten o'clock the procession left the City Hall, accompanied by Dodworth's band, 13th regiment, and marched up Broadway to Twenty-fifth street, and thence to Trinity Chapel, where the Rev. Morgan Dix officiated in the Episcopal service for the dead, assisted by Chaplain Goodwin, of Governor's Island. Dr. Dix read the committal service. The music was Handel's dead march in "Saul," the funeral march from the oratorio of "St. John," "Chopin's Funeral March," the hymn:

Oh, Paradise! Oh, Paradise!
Who does not pray for rest?

concluding with the hymn:

Rock of ages, cleft for me;

which was sung over the body by a surpliced choir of thirty men and boys. Care had been taken, by the issuing of tickets, that the church should not be overcrowded. Among those present were the following: Mr. Lloyd Aspinwall, Gen. Joseph C. Jackson, Governor Marshall Jewell, Rev. Noah Hunt Schenck, D. D., of Brooklyn; Gen. H. E. Davis; Capt. Wharton, of Gen. Hancock's staff; Col. Finley Anderson, Col. C. L. Wilson, Gen. Daniel Butterfield, Col. Treichie, Col. Dilloway, Gens. E. M. Lee and A. W. Adams, formerly of Torbert's cavalry. The 9th regiment, Col. S. Oscar Ryder, in command, about 400 strong, and the 4th New Jersey, took part in the reception of the remains at the chapel, and in the escort duty to the Cortlandt street ferry. Great throngs of people witnessed the procession.

On leaving the chapel the procession moved down

Broadway to and around the Worth Monument, down Fifth avenue to Fourteenth street, down Broadway to Cortlandt street and thence to the ferry. At two o'clock the remains were received on the Jersey City side by the 4th regiment of New Jersey, Col. Stryker, about 300 men, who accompanied them to Philadelphia.

Among those who accompanied the remains were Gen. Sickles, Gen. McIntosh, of New Jersey, who commanded a brigade of cavalry in Gen. Torbert's division; Mr. Walter H. Gilson, an old friend of Gen. Torbert, who at the request of Mrs. Torbert had had charge of all the arrangements for the funeral; Mr. J. F. Swords, the secretary of the executive committee; Col. Stryker, Adjutant-General of Jersey, and staff; a delegation from the Old Guard under the command of Major McLean; the field and staff officers of the 9th regiment of this city; Capt. Clark Fisher, formerly of the U. S. Navy, and Gen. Stockton, of New Jersey.

At Elizabeth, N. J., where the train arrived at 2:50 P. M., the remains were received by the Veteran Zouaves, under Gen. Drake, who fired a salute of fifteen guns.

The body with its escort arrived at the West Philadelphia depot at 5 P. M.

When the train came in the casket and wooden box covering it were transferred to a gun-carriage and draped with the national standard and festoon of crape, and on its top were deposited floral tributes. At 5.45 o'clock Colonel Robert P. Dechert, 2d Regiment, N. G. of Pa., who had been assigned to the command of the escort, gave the order to march, and the procession moved down Market street with the following formation:

Colonel Dechert commanding and staff.

One platoon of the Keystone Battery, Lieutenant James A. Ford; two guns.

Detachment United States Marines from the League Island Naval Station, Captain W. R. Brown.

4th Regiment Infantry, National Guard State of New Jersey, Colonel Dudley S. Steele commanding.

2d Regiment Infantry, National Guard Pennsylvania, Captain John T. Durang commanding.

Gun carriage, on which were mounted the remains, with the City Troop as a Guard of Honor.

Pall-bearers—Governor Henry M. Hoyt, General John F. Hartranft, Mayor W. S. Stokley, Commodore Pierce Crosby, U. S. N.; Pay Director John S. Cunningham, U. S. N.; General Robert M. Brinton, Colonel Joseph F. Tobias, Major Rudolph Ellis, William W. Weigley.

Carriage in which were seated Major-Generals Daniel E. Sickles and J. B. McIntosh, U. S. A.

Military Order of the Loyal Legion of the United States, Brigadier-General J. William Hoffman.

Detail of the Old Guard of New York, under command of Major George B. McLean.

George G. Meade Post No. 1, Grand Army of the Republic, Department of Pennsylvania, Colonel A. J. Sellers.

Upon reaching Thirty-second street the column moved south to Chestnut street, thence to Broad and to Walnut, marching out Walnut street to Twenty-first, to the Armory of the City Troop, below Market street. In the line were the following Committee from the State of New Jersey: General Gershom Mott, General R. F. Stockton, General W. S. Stryker, General E. L. Campbell, General S. D. Oliphant, Colonel W. E. Hoy, Colonel W. P. Wilson, Colonel C. Harris, Colonel C. Suydam, Chief Engineer Clark Fisher, Surgeon A. N. Dougherty, and Surgeon L. W. Oakley. Henry J. Fougeray, an uncle, and Arthur R. Fougeray and Arthur R. Burton, cousins of the deceased General, represented the family, while Captain J. S. Wharton, U. S. A.,

an aide to and representing Major-General Hancock, was present, with Captain J. M. Ingalls and 1st Lieutenant W. H. Hubbell, 1st Artillery, U. S. A., from Governor's Island, New York Harbor. When the Armory of the City Troop was reached the cavalry entered the door on Twenty-first street, and formed in single rank on the north side of the drill room, Post 1, G. A. R., taking a similar formation on the South side and the gun carriage with the body was driven north of the centre. The troops, at a carry arms, with their bands playing funeral marches, entered at the east door, passing between the two lines and to the south of the body and passed out at the large door on the west end of the building. The Military Order of the Legion of Honor and the New Jersey Committee were stationed in the platform on the east front. No religious services were held in the Armory, and the body laid in State during the night under guard of the Troopers. Among those who accompanied the remains to Milford were the following from New Jersey: Col. A. M. Way, Major of 1st N. J. Regt.—Torbert's original regiment; Col. J. N. Duffy, Captain in 2d N. J., Major in 3d N. J., Lieut.-Colonel in 4th N. J., also Inspector-General, 1st Div., 6th Corps; Captain Wm. Alexander, 1st N. Y. Cavalry, Aide to Gen. Kearney, and afterwards Asst. Chief Q. M. in the Shenandoah on Gen. Torbert's staff, also on Sheridan's staff [Capt. Alexander was formerly in U. S. 1st Dragoons, and served with Torbert in New Mexico]; Capt. Joseph Donavan, 2d N. J. The following members of the military order of the Loyal Legion also accompanied the remains: General T. William Hoffman, General W. L. James, General Charles G. Herring, Colonel Alfred Cromelien, General R. M. Brinton, Lieutenant-Colonel James Forney, Lieutenant-Colonel George Bernard, Major W. W. Nevin, Captain P. Lacey Goddard, Captain Thomas Graham, and Captain J. E. Barr. Governor

Hoyt, who was designated as one of the pall-bearers, telegraphed to the Committee on Arrangements at the last hour that he was unexpectedly compelled to remain in Harrisburg and would not be able to attend to pay the last tribute of respect to the memory of General Torbert. At the grave Generals Sickles and Webb and Colonel A. Loudon Snowden delivered addresses.

At 7.20 A. M. Thursday, Sept. 30, the special train left Philadelphia and reached Wilmington at 8 o'clock. The box, containing the funeral casket, was borne on a gun carriage on a platform car and guarded by two members of the Philadelphia City Troop and three members of the Keystone battery of that city.

Attached to the funeral car were six passenger cars containing a detachment of the Philadelphia City Troop and a number of friends of the deceased and prominent military officers.

At Wilmington five cars were added to the train and a detachment of Wilmington militia relieved the Philadelphia City Troop and took charge of the body. The three members of the Keystone Battery, however, remained on duty until the remains were interred, agreeably to instructions received.

The cars which were added at Wilmington contained companies A and C, of the Delaware militia, under command of Col Macallister, Thomas A. Smyth and DuPont posts, G. A. R., and about 25 civilians, friends and relatives of the deceased. Among the relatives were Messrs. John Torbert, of Wilmington and H. C. Hurn, of Elkton, first cousins to the General, his aunt, Mrs. F. A. Ellis, of Elkton, and her husband, Dr. James A. Draper and Austin Harrington, Esq., and General Torbert's mother and sister, who reside in Virginia, had gone down to Milford shortly

after the news of the wreck, and Henry Torbert, a cousin, on the preceding day.

Among the friends were Colonel H. S. McComb, Judge Wales, City Surveyor Conwell and George H. Bates, Ignatius C. Grubb, Anthony Higgins and J. H. Hoffecker, Esqs.

The American Rifles turned out 46 equipped men, under command of Captain Buckmaster; the DuPont Guards 38 men, under command of Captain Curtis; Thomas A. Smyth Post 42 men, under command of J. McDowell, and the DuPont Post 45 men, under command of Dr. J. P. Wales. The Smyth Post was joined at Dover by a detachment of six men from the Post at that place.

At Dover, Company D, numbering about 25 equipped men, under command of Captain Kenney, joined the train, also a few civilians. At Harrington Congressman Martin boarded the train, and among those who were met at Milford were Governor Hall, Judges Wooten and Houston and other prominent men of Kent and Sussex counties.

The train reached Milford at 11:30 a. m. The escort was received at the depot by the Torbert Guards, Company B, numbering about 45 equipped men, under command of Dr. Marshall.

At noon the funeral procession was formed and marched through the streets to the Torbert residence, at Second and Walnut streets, in the following order:

Oglesby's Band, of Chester.
DuPont Guards.
Hall Guards.
American Rifles.
Torbert Guards.
Gun carriage, with corpse, in charge of Keystone Battery, of Philadelphia.

Pallbearers—Senator Saulsbury, Governor Hall, Judges Wales and Wooten, Colonel Henry A. DuPont and Manlove Hayes.

City Troop, 12 members.

Delegates from Military Order of Loyal Legion.

Friends and civilians.

The streets along the line of march were lined with crowds of people, the band played a dirge, the militia marched with reversed arms, and the church bells were tolled. Over the town hall floated a half-masted flag with a heavy crape border.

At the house Rev. John L. McKim, Principal of St. Mary's College at Burlington, N. J., but formerly stationed at the Milford Episcopal Church, offered up a prayer and read the burial service. The body was then taken to the Methodist Cemetery and lowered into the grave, while the militia fired the burial salute of three volleys, after the clergyman read a short burial service.

The arrangements at the Methodist church were fitting for the memorial speeches. The doors were opened shortly before 3 o'clock, and only those who held cards of invitation being admitted, there was no rush or crowding, and enough persons to comfortably fill the interior were quietly seated in a few minutes.

The church had put on mourning. Crape hung upon the walls and over the altar, draped the large flags that shrouded the gallery, and was knotted among the little flags bunched between the windows. Flowers bloomed at each end of the crape-shrouded altar.

The service opened at 3 o'clock with the *marche funebre* on the organ, followed by the hymn: "From all that dwell below the skies." Miss Delamater was the organist and

the singing was by a quartet composed of Robert Hall, Charles E. Treidler, and Misses Reynolds and Storm.

Mr. Richard Harrington then said a few words on behalf of the Committee of Arrangements:

I feel that I cannot speak, said he, in the presence of the awful shadow of sorrow that has come upon us all. Cold language cannot give utterance to what the heart feels, while the pulse beats low and the heart is bleeding. I perform my record to him in the quiet of my own soul as I look upon all that remains of a man, a hero and soldier.

He then invited Chancellor Saulsbury to preside.

Address by the Hon. Willard Saulsbury, Chairman of the Meeting

LADIES AND GENTLEMEN: Alfred Torbert is no more. Only a few short weeks ago he left this village to visit a distant part of the continent. Before he arrived at the place of his destination he perished amid the perils of the sea. His lifeless body, borne to the shore by the waves, has been brought back to his home to-day among sobbing friends. We have buried him in the cold, cold earth, and are met here to make record of our appreciation of his worth. I shall not attempt to eulogize him; that friendly office will be performed more fittingly by others. I cannot, however, forbear to remark that I knew him from his boyhood, and throughout his whole life. I knew his honored father; I knew his most excellent mother. The father went before him; the aged mother he leaves behind him to mourn the loss of her favorite son. There is one other who is left whose anguish no words can express, and whose sorrow no words can solace. Alfred Torbert was true in all the relations of life. He was a dutiful son, a warm friend, a kind

brother, a faithful husband, a good citizen, a brave soldier, and a noble man. He sleeps, but he sleeps well.

"He sleeps his last sleep, he has fought his last battle,
No sound shall awake him to glory again."

Prayer by the Rev Jonathan S. Willis

O Thou Allwise, Almighty, and yet invisible God! We approach unto the mercy seat in this solemn presence with our hearts as well as with our voices. We acknowledge the littleness of our capacity, the shortness of our life. Our days are as an hand breadth, our lifetime passes as the morning cloud, as the early dew. In thy august presence, O Lord God Almighty! we are but the drop of the bucket, the dust of the balance. We crave the attention and presence of thy divine spirit on this occasion, when we have assembled to pay unto a citizen, a friend, a noble man, the last tribute of our earthly respect. Until we shall meet him in the great gathering of the last day, where in the presence of thyself whom we now address, all our difficulties and all our accounts will be eternally adjusted, we come to lay the garlands of our affection and the tokens of our memory around his grave, and to speak the solemn and tender farewell before we separate. May thy divine presence awe us into a suitable sense of our nothingness; may the reflections that grow out of this hour inspire us with the sense of our shortness of life and feebleness of power. O Lord, our God! teach our hearts humility as we look into the unexpectedly opened grave, and as we gaze upon the pale face of the dead; as we bring with tender and yet inspiring recollections the record of the noble life before us and feel that the tall shaft has been broken, the cedar has been stricken and has fallen from its majesty, and lies low in the earth. O Lord! we pray we may not only be taught a sense of our littleness, but that this hour may teach us

a lesson of sympathy as well. We are children of a common woe, brethren of a universal grief. The hand of death has laid his mark upon all of us, and we too must fall. The boast of heraldry, the pomp of power, whatever beauty, whatever wealth may be given unto us in this life, await alike the inevitable hour. Glory, grandeur, and splendor, but follow in the same retinue to the grave. O Lord, our God! teach us that we may be bound together by a common fraternal sympathy in a strong affection one for another in consideration of our common woe and the common destiny that await us. Teach us, O Lord, a lesson of diligence in view of these circumstances, and of this hour. Teach us that this short span of life is so little and so feeble as that every moment, as well as every hour of it, must be employed for the building up of a noble character, for the achievement of a noble distinction. May the recollections which come up from a review of the life of the deceased inspire us with nobleness, while we remember with most pleasing delight that the last hours of his life, even amid the agitation and confusion of a storm upon the sea, were tinged with a golden lining of nobleness of character so seldom met with in this life of selfishness. O Lord! teach us to be men, men of great aspirations, men of high views, men of noble instincts. Teach us that no man liveth to himself, and no man dieth to himself. Grant that thy holy spirit may comfort the hearts of those who have been afflicted by this sudden stroke. May not only those around the fireside where the dark wings of sorrow brood over the place that was gladdened with innocent mirth, be comforted, but may those stalwart companions who endured with him the midnight bivouac, the winter's storm and the fierce battle feel in this hour that the hand of God, who is the soldier's friend and the citizen's friend, as well as the widow's friend, is laid upon their hearts. O, thou Eternal

One, who knowest when a sparrow falls, pray be nigh unto those who are bereaved this hour. Out of the gloom that has gathered around them may there come forth the voice of promise and inspiring hope, and around the shadows of the grave shed a light that will teach of that morning that shall rise with eternity full of everlasting glory. Be nigh unto us, O Lord, our father, whenever, and wherever, and however we may die, and let us die the death of the righteous, and let our last end be like his, and thy great name shall have all the praise forever, through Christ our Lord. Amen.

Address by Maj.-Gen. Daniel E. Sickles, U. S. A.

MR. PRESIDENT: I first met Gen. Torbert in 1861 leading the first Battalion of New Jersey Volunteers. It was easy to see then that he was sure to win distinction. Afterwards as a brigade and division commander his brilliant services merited and received the commendation of the Government and the applause of the country. Towards the close of the war I reviewed his command in the valley of the Shenandoah. The soldierly bearing of the troops of all arms revealed the presence of an intrepid leader, a thorough disciplinarian, and a beloved companion. This is not the occasion, however, for a critical review of his life. In 1869, Gen. Torbert was appointed Consul-General of the United States in the Island of Cuba. He held that office during nearly the whole of my official residence in Madrid. I therefore had the best opportunity to form a careful judgment of his character and fitness for high civil employment. At that time the people of Cuba, were in insurrection against the mother country. The duties of our representative there in view of the large American interests constantly involved required vigilance, tact and judgment, and the estimate formed by the Government of the ability

with which Gen. Torbert discharged the duties of his difficult office was evinced after four years of service by his promotion to the highest post in the consular service of the Government, that of Consul-General at Paris. There, too, I had met him in the years 1874, 1875 and 1876. He was in daily intercourse with the foreign and American visitors to the great capital, with the merchants and manufacturers engaged in business with the United States, with the large American colony resident there. I presided at the complimentary dinner given to Gen. Torbert in Paris in 1876, attended by gentlemen representing all these interests, and by many distinguished Frenchmen, and the testimony there was universal of the ability and courtesy and kindness with which he had fulfilled the duties of that high office.

Gen. Torbert was a true friend. He was the type of a gentleman—frank, urbane, courtly; and in his social relations hospitable, ever agreeable. Perhaps never in the history of the Consulate of Paris has its hospitality been better illustrated than during the time General and Mrs. Torbert fulfilled it. In his last hour he was, as ever, brave and cheerful, not forgetting others. For who has not noticed that touching incident of his care for the little boy whose unprotected situation commanded his attention, and in the great crisis of his fate he had a cheerful word for his fellow sufferers floating on the ocean, and how bravely he struggled is seen in the remarkable circumstance that after twenty hours and more, in the fearful tempest, alone on the deep, he reached the distant shore with a heart still beating. His Army associates, his friends from many places, come here to unite with his neighbors in this last homage to his name. No, not that, for while we live his memory will live, and history will hand down his honored name to other generations. Although he died far away from home and kindred and companions there were not wanting

gentle hands to wreathe garlands on his heart, and they were the hands of those who knew little else of him than his prowess in battle at a time when war made him their enemy. All the way from St. Augustine to Milford, cities and communities have vied with each other to do honor to your lost neighbor and fellow citizen. And I must apologize myself now for the brevity and incompleteness of what I have said about him, first because I was informed that others were to perform this office, and because if I were to go further I should touch upon ties and associations of which I am not able now to speak.

Solo, "One Sweetly Solemn Thought."

Oration of Gen. Robert F. Stockton

MR. CHAIRMAN: Your committee, I fear, has committed a great error in appointing me to open this memorial service. There are many present more fitted for the duty, and whose ripe experience renders them more worthy the solemnity of the occasion. But there are times when one has little option left him; and my association with the deceased was of so intimate a character that, although feeling my own unworthiness to properly fulfill the allotted task, I cannot refuse to bear tribute of respect to the memory of a valued friend. We were brought together some twenty years ago, under circumstances which required constant association and mutual confidence, which gave rise to an intimacy that soon ripened into a friendship which has continued uninterrupted to the day he was so unexpectedly taken from us. As memory reviews the happy hours and pleasant incidents which marked our social and professional intercourse, I shrink in sadness from the contemplation of our loss. Pardon me, therefore, if I mingle my private sorrow with the public grief. Torbert was my friend. None knew him better; none loved him more.

Brevet Major-General Alfred T. A. Torbert was born at Georgetown, Sussex county, in the State of Delaware, on the first day of July, in the year 1833. His father was Jonathan R. Torbert, a prominent citizen of Delaware; a farmer by occupation; he also held the position of cashier of a local bank, and was a Methodist local minister. Alfred received a good school education at Georgetown, and at the age of seventeen, desired to engage in business, at his native place. This purpose, however, he relinquished, in order to gratify a long-cherished wish of his father, and, receiving an appointment, he entered the United States Military Academy, at West Point, during the year 1851, as a cadet from the State of Delaware. His constant good humor and social disposition, while pursuing his studies at the Academy, soon endeared him to his classmates as a lovable companion, and his attention to duty was sufficient to insure success. He graduated from the Academy in 1855, in the same class with Generals Weitzel, Gregg, Webb, Hazen, Averill, Colonel Comstock, and others whose names have become familiar in the history of the late war. Having so far succeeded in the course marked out for him by his father, it was with a sad heart that he returned from West Point only in time to see that parent laid in the grave. His duty to the remaining members of his father's family did not allow Torbert to think, for a moment, of leaving the profession for which he was educated, and, therefore, he forthwith reported for duty, and thus commenced a military career which was destined to be illustrious. He was assigned to the 2d United States Infantry as a brevet 2d lieutenant, and during the summer of 1855, was promoted to 1st lieutenant of the 5th United States Infantry, and placed on duty at Fort Columbus, in New York Harbor. During the month of November, 1855, he was ordered, with recruits, to join his regiment,

then on the Rio Grande frontier, at Fort McIntosh, where he remained, on Indian service, until the fall of 1856, at which time he left, with his regiment, for the swamps of Florida, and served through the Seminole campaign. When, in the following year (1857), our troops were ordered to rendezvous at Fort Leavenworth, to prevent contemplated hostilities in Utah, Torbert came with his company and regiment, but on the 21st of July was detailed on staff duty, as regimental commissary of subsistence.

It will be remembered that the column under command of Gen. Albert Sidney Johnston started for Utah, and camped the following winter at Fort Bridge, in the Rocky Mountains. Just before arriving at the fort, Lieut. Torbert, at his own request, was relieved from staff duty, and joined his company, which, at the time, was serving as cannoneers to a battery under the command of the late General Reno. When the Army reached Camp Floyd, in Salt Lake Valley, during the summer of 1858, with his company, he rejoined the regiment, which remained in Utah until 1860. Thence he went with his regiment to New Mexico, where he served at Fort Stanton, on Indian service, until the spring of 1861. Up to this time, it will be observed that Lieut. Torbert had taken no leave of absence since he graduated. In the spring of 1861, however, he received sixty days' leave of absence, to visit the States, and started for home by the overland stage route through Texas. On reaching San Antonio, he learned for the first time that seven States had determined to secede from the Union. To secure his services for the cause of secession, great temptations were offered, but he never deviated from his determination to remain in the service of the United States; indeed, a frank denunciation of the scheme of secession gave rise to an adroit attempt to capture him, together with the men under his charge, but, suspecting that an effort would be

made to detain him, he changed his route, and, after some difficulty, succeeded in reaching the States, and arrived safely in Philadelphia, where his mother and sister had resided since the death of his father. Although he was warmly and affectionately received, yet, after a few days, he missed the home of his childhood and the face of his much-loved father; and, within ten days after his arrival, nothing loth to respond to an order received placing him on mustering duty, he left for Trenton, New Jersey. He remained on this duty from April to September, 1861, during which period he mustered in and out a brigade of three months' volunteers, and mustered in eight regiments of three years' volunteers, one regiment of cavalry, and two batteries. His close attention to duty, soldier-like conduct, honest, straightforward, and accurate business methods, won for him the respect of all those with whom he was associated, and enabled him to settle his account with the United States Government without difficulty, when he left Trenton for service in the field.

It was a warm day, in the latter part of August, 1861; a day I can never forget, for the incidents of that day were eventful in the history of the 1st New Jersey Brigade and in the life of my friend, Lieut. Torbert. It had been a tiresome and trying day to both Torbert and myself. After getting through the work of the day we met in our bedrooms, which adjoined. I was reading a private letter from Gen. Kearny, which had been received during the day, but which, on account of press of business, had remained as yet unread, when Torbert, coming from his room, threw a letter upon my bed, saying, "Read that!" and retired to his room, after reading my letter, which, among other things, stated that a vacancy would probably occur in the colonelcy of the 1st regiment of the brigade under Kearny's command, and urging me to take a personal interest in securing a

first-rate officer for the position. Torbert had always been averse to taking position in the volunteer service, preferring duty with his own regiment. I, therefore, did not at first think of him in connection with the vacant colonelcy; but, after reading the other letter, which contained the official notification of his appointment as Captain and Assistant Quartermaster, I saw that there was no chance of a valuable regular officer being of use to his country unless he went into the volunteer service, and therefore urged the appointment and his acceptance of the same. His Excellency, Governor Olden, applied to the War Department for permission, which being granted, Torbert was commissioned Sept. 16th, 1861, Colonel of the 1st regiment New Jersey Volunteers, then camped at Fairfax Seminary, near Alexandria, and which, together with the 2d, 3d and 4th regiments from the same State, had been brigaded under the command of Gen. Phil. Kearny, and attached to Gen. Franklin's command in the Army of the Potomac. He immediately left to join his command and served as Colonel of this regiment through the Peninsula campaign, was engaged at the siege of Yorktown, at West Point, Gaines' Mill, Charles City Cross Roads, and the numerous skirmishes in which his regiment took part. During this campaign he suffered much from a low malarial fever, contracted in the marshes through which the Army passed, and at times was unable to march with his regiment; but whenever the regiment went into battle, he insisted upon leaving camp in an ambulance, and mounting his horse in the field, led his regiment in many gallant charges. After the battle of Gainesville, by seniority, he fell into the command of the brigade, which, as herein stated, was composed of the 1st, 2d, 3d and 4th regiments New Jersey Volunteers, and remained in this command until the latter part of the month of April, 1864. On the 29th of Nov. 1862, he received his appointment of

Brigadier-General of Volunteers. He fought the Brigade at Second Bull Run, Crampton's Pass, Antietam, First Fredericksburg, Gettysburg, and in many skirmishes, in all of which engagements he did credit to himself, and added to the well-merited reputation of his brigade. It is not proposed in this brief sketch of the military career of Gen. Torbert to give a detailed account of the many battles in which he was engaged, all of which were important in the movements of the 6th Corps of the Army of the Potomac, and in all of which he bore himself in such a manner as to add to his own reputation and that of his command. I cannot, however, refrain from special mention of the engagement at Crampton's Gap. On the 2d of Sept., 1862, the Army of the Potomac was in full retreat upon the defences of Washington, followed by a victorious enemy; on the 3d, the enemy disappeared from in front of Washington and prepared to cross the Upper Potomac into Maryland. To resist this invasion, and succor the garrison at Harper's Ferry, Major-Gen. McClellan had been placed in command, and proceeded to rally the Army of the Potomac, and march it towards the Upper Potomac and Harper's Ferry. The successful issue of this campaign, together with the battles of South Mountain and Antietam, are matters of history; but I propose for a moment to call your attention to the part taken by Gen. Torbert and the brigade under his command, in those sanguinary conflicts.

In crossing the South Mountain range it became absolutely necessary to gain possession of Turner's and Crampton's passes. During the march from Washington, the 6th Corps covered the road from the mouth of the Monocacy to Rockville, and Gen. Franklin pushed his corps rapidly forward toward Crampton's Pass. The South Mountain range at this point averages about one thousand feet in height, and forms a strong natural military barrier. The

enemy occupied the crests of the commanding hills on either side of the pass, with artillery bearing upon all the approaches to the position. This was the position that our troops must carry. The 6th Corps reached the pass about 12 o'clock M. on the 14th of Sept., 1862, and attempted to dislodge the enemy. But to take men across open fields of clover and corn, in the face of a heavy artillery fire, to attack infantry behind stone walls and protected by woods, was no easy task, and well might the bravest troops shrink from what appeared to be certain death. Attempt after attempt had been made to dislodge the enemy, but so galling his fire, so strong his position, that attack after attack had been repulsed, and brigade after brigade had been obliged to retire from the field with exhausted ammunition and decimated ranks. At this critical moment Gen. Newton appealed to Torbert to know if he thought his men would storm the pass. "I believe my men will storm hell, sir, should I give the command." Such a reply, under such circumstances, could not fail to procure the order, "Go ahead, sir;" and the brigade with its noble leader advanced steadily through a storm of shot and shell. Without firing a gun they calmly and resolutely cross the fields as steadily as though on dress parade. Bayonet to bayonet, hand to hand, they drive the enemy from his position at the base of the mountain, where he had been protected by a stone wall. This is not enough, however, for a total dislodgment is necessary to secure the possession of the pass, and the artillery is still in place. The little band, feeling themselves invincible, after what they have done, renew the charge and steadily force the enemy back up the mountain, and the infantry reach the position of their battery near the road, well up the mountain. Here they make another stand, and victory appears to hang for a moment in the balance, but the impetuous charge of Torbert's men cannot be withstood,

and the defeated enemy is driven slowly back, the infantry retiring with their artillery *en echelon*, until the crest was gained, when they fled in haste down the mountain on the other side. The close of the action on the night of the 14th found Gen. Franklin's advance through the pass and in Pleasant Valley, within three miles and a half of the point on Maryland Heights, where he might have formed a junction with the garrison at Harper's Ferry had it not been previously withdrawn. Gen. Torbert next day congratulated his troops upon their conduct during the engagement as follows:

"*Soldiers of the 1st New Jersey Brigade*:

"The 14th day of September, 1862, is one long to be remembered, for on that day you dashingly met and drove the enemy at every point in your advance in line of battle under a galling artillery fire, and final bayonet charge, a feat seldom if ever surpassed. The heights you took show plainly what determined and well-disciplined troops can do. You have sustained the reputation of your State and done great credit to your officers and yourselves.

"While we lament the death of our brave comrades who have fallen so gloriously, we can only commend their souls to God, and their sorrowing friends to His sure protection.

"May you go from victory to victory, is the hope and wish of the Colonel commanding brigade."

Eye-witnesses state that, had they not seen it, they never would have believed that the position could have been carried. A prominent general officer exclaimed: "What devils they are!" Gen. Newton says: "I wish, particularly, to speak of the brilliant charge with the bayonet, made at Crampton's Pass. Gen. Torbert, in command of a brigade, commended himself particularly to my notice, by his cool and calm courage, and by his able conduct, in the face of the enemy, when he was obliged to charge where

they were entrenched behind stone walls, and sheltered by woods on a hill nearly as steep as a crow's nest." Gen. Slocum says: "In this battle, he greatly distinguished himself." General Franklin speaks of "the handsome manner in which he led his brigade at Crampton's Gap," and adds: "The reports of the battle of Crampton's Gap show that the good conduct of Gen. Torbert's brigade had much to do with the success of that day, and for his gallant leadership alone, he is entitled to promotion."

He was one of the best tacticians in the Army, and maintained superior discipline in his brigade, while his personal supervision over the detailed minutiae of his command, rendered his brigade always ready for service, and secured the comfort and happiness of the men. Upon this point, General Slocum says: "He served in my division as commander of brigade, and proved himself one of the best brigade commanders that I have ever met. He is superior not only as a commander on the field of battle, but as a disciplinarian. His brigade is not only in an excellent state of discipline, but is always supplied with everything that is necessary to its efficiency or the comfort of the men." General Franklin speaks of the improvement of the brigade under his command. General Brooks says: "I know of no officer with a finer record." General Sedgwick endorsed the above statement, and adds: "General Torbert is considered by all the general officers of the 6th Corps, as a most gallant and distinguished General." Major General McClellan, in his report, speaks in the highest terms of him, and Major General Hooker, while commanding the Army of the Potomac, in 1863, adds his testimony to the others.

While in command of his brigade at Brandy Station, in April, 1864, Major General Meade, then in command of the Army of the Potomac, offered General Torbert the command of a division of cavalry, but, not willing to leave the

men who had fought under him on so many battlefields, he declined the offer; he was, however, subsequently ordered to report to Major General Sheridan, who at the time commanded the cavalry corps of the Army of the Potomac, and was assigned to the command of the 1st Division of Cavalry, May 4, 1864. About the 9th of May he was obliged, on account of ill health, to give up his command for eight or nine days. About the 17th of the month he reported to headquarters of the Army of the Potomac, but the cavalry corps was on a raid around Richmond, and he was assigned to the command of a provisional division of cavalry, all that was then with the Army of the Potomac (about twenty-five hundred.) He commanded this division in the fight at Milford Station, on the Fredericksburg and Richmond railroad, and at the North Anna river. During the latter part of May, the cavalry corps having returned, General Torbert rejoined his division, and commanded it in the fight of Hanover Town and Crump's Swamp, including Haines' Shop, (for which he was breveted Lieut. Col. U. S. Army,) Old Church, Coal Harbor, Trevillian Station, White House, Deep Bottom, and a number of skirmishes. In all these engagements he was successful, and was ordered with his division, July 30, 1864, to join General Sheridan, for service in the Shenandoah Valley.

In July, 1864, attention was again called to the Upper Potomac and Shenandoah Valley. General Hunter was retreating from Lynchburg by the way of Kanawha river, and by such a devious line of retreat that the Shenandoah Valley was left open to the enemy. General Early, reinforced by Lee's cavalry and Breckenridge's and Kenshaw's commands, prepared to take advantage of the situation by a speedy advance through the valley, in the direction of the Potomac and Washington. Indeed he had succeeded in getting within striking distance of the Capital,

when the news of Sheridan's advance caused him to retreat and mass his forces in the neighborhood of Winchester.

In the latter part of the month, General Sheridan was assigned to the command of all the forces against Early, and shortly after, the Middle Military Division was created, comprising the Susquehanna, Middle, Washington and West Virginia Departments. General Sheridan was placed in command, and a force given him sufficient to protect Washington, and, if necessity demanded, to wage an aggressive campaign. Among the earlier troops assigned this command from the Army of the Potomac was the 1st Division of Cavalry, under General Torbert; and the 3d Division, under General Wilson, joined this command at a later date. General Torbert left the Army of the Potomac with his division on the 30th of July, and, upon reporting to General Sheridan, was appointed chief of cavalry of the department, over the heads of a Major General and a Brigadier General who ranked him. His command comprised four divisions of cavalry, namely: Torbert's old division, commanded by Brigadier General Merritt; the 3d Division from the Army of the Potomac, commanded by Brigadier General Wilson; the 1st Division of West Virginia Cavalry, commanded by Brigadier General Duffie; and the 2d Division of West Virginia Cavalry, commanded by Brigadier General Averill. This was the largest body of cavalry that, in this country, was ever placed under the command of one officer; and, inasmuch as this force was eminently successful in all its undertakings, doing much hard marching and fighting, much of it against infantry, making for itself a lasting name, more than a passing notice should be made of its campaign in the Valley.

General Torbert ordered General Duffie's division to Cumberland, Maryland, and took into the field the remaining three divisions. The month of August was occupied in

skirmishing and severe fighting with the enemy, driving the cavalry from their position to the protection of his infantry. On the 15th our cavalry was attacked by cavalry, infantry and artillery, which, after a severe engagement, were totally routed, and three hundred prisoners and two infantry battle flags captured. The 19th, 20th and 22d were occupied in harassing the enemy, who was advancing rapidly in three columns. The cavalry succeeded in holding him in check; on the 25th, defeated a division of infantry; and on the 28th, the 1st Division met the enemy's cavalry in force, and gallantly drove them with the sabre through Smithfield across the Opequan Creek, a distance of five miles. On the 29th our cavalry was driven, for awhile, by superior force, but fell back on the reserve, and then, in turn, drove the enemy across the creek. (On the 13th of September the 1st Brigade of the 3d Division, commanded by Brig. Gen. McIntosh, while on a reconnoissance, met the enemy's cavalry at Lime Stone Ridge and drove them across the Opequan Creek, when coming upon the 8th Regiment of the Infantry from South Carolina, surrounded and captured that entire regiment.) Thus, to the 19th of September, the cavalry were scouring the country from the Potomac to Opequan Creek, and annoying the enemy by forced reconnoissances. On the 19th of September, 1864, the battle of Winchester was fought—a battle long to be remembered by the cavalry.

The enemy was posted on the west bank of the Opequan Creek, covering Winchester. Our forces were in front of Berryville. Either could bring on a battle at any moment. Major General Sheridan was restive and urgent for orders to attack the enemy. Lieut. General Grant, however, considering the forces under General Sheridan in point of numbers insufficient to warrant the risk of a general engagement hesitated to allow him to take the initiative.

Sheridan's defeat would again lay open the States of Maryland and Pennsylvania to a raid by the enemy, and would seriously affect the plan of operations determined upon for the Army of the Potomac. After earnest solicitations and personal interviews, however, General Sheridan at length received permission, and on the 19th he advanced upon the enemy. The result of the battle of Winchester is now a part of history, and it is well known that General Sheridan attacked the enemy on the morning of the 19th of September, and after a most sanguinary fight, lasting the entire day, the enemy was defeated, his positions carried, several thousand prisoners captured, together with five pieces of artillery and a number of battle-flags. I propose to pause for a moment to follow the cavalry command during that eventful day. General Wilson's 3d Division moved on the Berryville and Winchester pike, in the direction of Winchester, in advance of the infantry. The 1st Division, under the command of General Merritt, moved on the right to cross the Opequan Creek at Sevres and Lock's fords. The 2d Division, under the command of General Averill, was ordered to cross the Opequan Creek, and move on Winchester and Martinsburg pike in the direction of Winchester. General Torbert remained with the two latter divisions, which he commanded in person. The crossing the creek by the 1st Division was disputed by infantry, but after a gallant charge the crossing was effected and the enemy driven a mile and half from their first to their second position, where, behind stone walls and rail breastworks, they succeeded in temporarily checking the advance of our troops. The 2d Division driving before it the enemy's cavalry, and getting well to the rear of the infantry force in front of the 1st Division, which commenced to fall back, enabled the 1st Division to advance rapidly, and made a junction on the Valley pike with the 2d. Both divisions

then pushed towards Winchester, Averill on the right and Merritt on the left of the Valley pike, driving the enemy's cavalry pell-mell before them. When within about four miles of Winchester, and while in hot pursuit of the enemy's cavalry, at the battle of Winchester, Gen. Torbert's attention was called to the sound of the artillery and infantry firing, which appeared to recede, indicating that Sheridan was hotly pressed, and might require assistance. With that cool decision which ever marked his course as a leader on the field of battle, he immediately ordered the pursuit stopped, and by a quick movement, bringing him squarely upon the left flank of the opposing army, now hotly engaged with Sheridan's forces, he burst upon the enemy's infantry by successive charges by brigades, thence sweeping around with a sickle-shaped line, he attacked the enemy's rear with such impetuosity as to send his whole army "whirling through Winchester." So sudden was the movement, and so brilliant was the charge, that a battery was captured before it could be fired. Merritt's division alone captured seven hundred and seventy-five prisoners, seventy officers, two pieces of artillery and seven battle-flags.

Gen. Sheridan's report of this battle says: "At Winchester, for a moment, the contest was uncertain, but the gallant attack of Gen. Upton's brigade restored the line of battle, and Merritt's and Averill's division of cavalry, under Torbert, sent the enemy 'whirling through Winchester.'" The enemy, in their account of this battle, say; "The Confederate heroism of that day was never surpassed. It was only when the cavalry came like a torrent upon the left flank, and swept it away, that the Confederate line was broken." The wreck of Early's army escaped during the night, and fled in the direction of Staunton and Lynchburg. During this month, Gen. Torbert was appointed brevet major-general, for distinguished services during the war,

and at the close of the campaign, was recommended by Lieut.-Gen. Grant, and by Maj.-Gens. Sheridan and Meade, for promotion to the rank of major-general.

Before passing to the civil service rendered by Gen. Torbert to his country, I will, in brief terms, call your attention to one more action. I allude to that of October, 1864. When our forces took possession of Winchester, after the battle of September 19, Torbert received a message from one of the leaders of the Confederate cavalry, making excuses for former defeats, and stating that his corps was going to Richmond to recruit and be remounted, and should then return to wipe him (Torbert) out. Torbert returned answer that he would meet him, and hoped that the fight might be so conclusive, that at its termination, no question would arise concerning the wiping out.

On the 9th of October, Brig.-Gen. Merritt, commanding the 1st Division of Cavalry, was in the Valley pike, at Brook Creek, at the foot of Round Top Mountain. Brig.-Gen. Custer, commanding the 3d Division, was on the back road, at Tumbling Brook. These two roads were generally parallel, and about three miles apart. The 2d Division was not in the fight, having been sent to Laury. The enemy's cavalry, having received considerable reinforcements, had again returned, and were camped as follows: Gen. Rosser's command on the back road, and the commands of Gen. Lomax and Johnson on the pike. The forces were about equal in numbers, but the enemy had the advantage of fresh horses.

Torbert ordered Gen. Custer, who was about six miles from Broad Creek, to move, at daylight, back on the back road, and attack the enemy as soon as met. Merritt, being near Brook Creek, and nearer the enemy than Custer, was directed to move at seven o'clock, one brigade in the pike and two brigades between the roads, and to connect with

Custer and the brigade in the pike. Those officers were prompt in the execution of these orders, and, as Custer's guns were heard early in the morning, on Brook Creek, Merritt moved to the attack, and to make the connection with him. Col. Lowell commanded the reserve brigade of the 1st Division, and moved on the pike, and attacked Gens. Lomax and Johnson. The 1st Brigade of the 1st Division moved on the right, to connect with Gen. Custer, and to attack the enemy on the right flank. The 2d Brigade of the 1st Division moved in the centre. After a spirited engagement for about two hours, during which some desperate hand to hand fighting took place, the enemy, seeing that they were being flanked, and severely pressed in front, gave way in great confusion.

This was taken advantage of by both division commanders, and although the enemy rallied several times and fought desperately, yet its troops could not stand the charges made upon them, and were finally driven in a perfect rout, and pursued for twenty miles. The 1st Division captured five pieces of artillery, all of the enemy's ordnance, ambulances, wagon trains and sixty prisoners. The 3d Division captured six pieces of artillery, all their headquarter wagons, ordnance, ambulances and wagon trains. Our cavalry, under their gallant leader, covered themselves with glory, and there was no question as to who was wiped out. This was the only general cavalry fight, where large numbers were engaged, during the war, and I believe the only cavalry duel on record. It reminds one of the days of knight-errantry, as, on that autumnal morn, Custer moved to the attack, with Torbert and Merritt impatiently waiting for the sound of the opening gun; then the advance, the roar of artillery, the clash of arms, and the many deeds of personal prowess when sabre met sabre, each arm nerved by the thought that no matter how severe

other fights had been, today they must conquer or die; the din of battle advancing and receding; ranks broken, only to be rallied for a more desperate struggle, until at length the movement on the flank is successful; the despairing flight; the total rout—what a sketch for the pen of Macaulay.

Gen. Sheridan says, "It was a brilliant engagement. It was an equal cavalry fight, in which the enemy was routed beyond my power to describe."

Gen. Torbert was in command of the District of Winchester from July 12 to September 1, 1865, and of the District of Southeast Virginia from September 1 to December 31, 1865; and was mustered out of the volunteer service January 15, 1866. For gallant services at Gettysburg he was breveted major in the Regular Service, lieutenant-colonel for the action at Hawes' Shop, colonel for the battle of Winchester, brigadier-general for the fight at Cedar Creek, and major-general for meritorious services during the war. He was also breveted major-general of volunteers.

Gen. Torbert received leave of absence at the conclusion of the war to January, 1866, during which time he was married, at Milford, Del., to Miss Mary E. Currey, only child of the late Daniel Currey, of that place. He resigned his commission in the U. S. Army, and settled at Milford, Del. In 1869 he was appointed minister to San Salvador, where he remained nearly two years; was Consul General at Havana in 1871, and was promoted to the position of Consul General at Paris, November, 1873, for which position he was unanimously confirmed by the Senate of the United States during the following month. In these diplomatic positions he represented his country with dignity, and his good judgment and cool courage prevented international difficulty, which otherwise might have occurred. He was firm in preserving the rights of American citizens in foreign countries, and no citizen of the United States, no matter

what his social position, ever appealed to him for assistance in vain. After his return from Paris he devoted himself exclusively to his personal affairs, and was on his way to Mexico in connection with private business when the vessel in which he had taken passage was foundered, some fifty miles off the west coast of Florida, in an unprecedentedly severe storm. Although familiar to scenes of danger and death, the grim monster appeared to him in a form he had never met before, but found him the same unselfish, cool, brave, and intrepid hero it had ever found him. While the vessel was in its death throes, he seemed to think less of himself and of his own danger than of the danger to those around him, and used every effort to relieve the anxiety and suffering of others. Who can tell how many were saved the pangs begotten of nervous fear by the cool courage and encouraging words of Gen. Torbert? To those who knew him well, how his whole life was pictured in the few last words he uttered: "We must manage to save this little fellow between us." Soon after, amid the boiling waters, he is drifting toward shore, and when almost safe is struck by a floating spar, and resigned his life into the hands of his Creator. Battling amid the war of elements, our friend is taken from us by One, of whom it is written, "He maketh the storm a calm, so that the waves thereof is still." How mysterious are God's dealings with men. We cannot fathom it; and, in the words of our lamented friend, we can "but commend his soul to God, and sorrowing friends to His sure protection."

Like into some bottomless caves of earth, the dark waters roll, and rocks are carried without a sound, with no returning echo; even so the days of our life with their myriad notes of human joy and woe are ever gliding down noiseless and unstayed, to be swallowed up in an oblivion

whose shores give back no sound, whose hand yields no report.

In the death of Gen. Torbert the country mourns a brave and chivalrous soldier; his State, a patriotic citizen; his mother, a devoted son; his wife, a kind and affectionate husband, and all of us a true and faithful friend. Possessed of a warm and social disposition, simple in his manners, always cheerful, and one of those few characters that circumstances never change, Torbert was a lovable man. Of incorruptible integrity—no temptation could shake his truth—Torbert was respected by all who knew him. With a clear perception, rare good judgment; with a calm and determined bravery, he was successful as a soldier, and seeming utterly unconscious of the petty ambitions and rivalries that disturbed the happiness of others, but moving straight forward in the path of duty, without any concern for himself, Torbert won the confidence, and was loved by his comrades in arms, and by the men under his command. He had the power of concentrating his mind upon the object he had in view to such a degree that he became oblivious to everything else; and whether that objective point was the selection of his own position, or storming the position of an enemy, remained perfectly cool, when others upon the field of battle would become excited or confused. So total was this absorption, that it may be literally said of him, that on the field of battle he never appreciated personal danger. He never felt fear. Brought up under the counsel of a conscientious and pious father, who knew no compromise between right and wrong, he early formed the impression which his after-training in the United States Army moulded into a principle ruling every action of his life; that the mainspring of a happy and contented life was the conscientious discharge of duty. How well he per-

formed his duty we have seen; and this performance was accompanied by a modesty rarely equalled.

No herald proclaimed his advance; no scribe followed in the wake to sing his praises before a reading public. Indeed, he was reticent to his best friends on subjects where he himself was concerned. But he has left a record of his military life in the testimony of all his comrades in arms—a record which forms a basis for reputation as firm as the everlasting hills, and one loved by every true soldier. (The number of battle-scarred soldiers who stood around General Torbert's grave, the number of veterans, members of the Military Order of the Loyal Legion of the United States, who have come to Milford today to pay the tribute of respect to a deceased companion, are mute endorsements of his reputation as a brave but modest soldier, in striking contrast to the summer soldiers and sunshine patriots who are wont to strut before the public and vent their self-made praises from the hustings.)

And now the last funeral rites have been performed, and we have stood by the grave and seen it closing over the remains of him we loved. He is gone, and we shall see him no more in his accustomed haunts; but if there is a "divinity that shapes our ends," if the preservation of the American Union bears any part in the plan of Divine Providence in His mysterious dealings with nations, we may yet see our friend when the heavens shall be rolled together, and Africa take her part with the other three great continents of the earth in bearing up the ark of human freedom to the exultant view of a liberated world, and the resplendant glory of Jehovah comes forth, as of old, to meet the work of its own doing, and proclaim them blessed who were the humble instruments through which His great purposes on earth were wrought.

We have laid him to sleep amid the scenes he so loved, in the promise of a glorious awakening.

Let his requiem be sung in the sighs and tears of many sincere friends. Let his epitaph be written in the future prosperity of a happy and united people.

"Fleet foot on the correi,
Sage counsel in cumber,
Red hand in the foray,
How sound is thy slumber."

Address by Hon. John W. Houston

It would be much more congenial to the sadness which now fills my bosom, to allow mine to mingle in silence with the tears of those who are at this moment in sorrow over the mournful and untimely death of our distinguished departed friend, than to utter one word of eulogy or lament on this impressive and solemn occasion; but having been invited to make a few remarks, with all the grief I experienced on receiving the intelligence of the sad and mournful death of Gen. Torbert, with my intimate knowledge and acquaintance with him from an early period of his life and with the consciousness of what the State has lost in his untimely death, I could not refuse to accept, although I came here for no purpose of pronouncing a eulogy on him. After what has been, and so justly, said with regard to his illustrious services, and his noble example as a champion of the freedom of our great country, and of the Constitution under which we now live, it would be a work of supererogation for me to add anything if I were competent to add anything.

My knowledge of Gen. Torbert was in his private and social relations and commenced when he was seven or eight years of age—a noble boy, the son of parents whom I knew and respected, and whose grandfather I knew. From the

earliest period therefore of my knowledge of him I felt interested in him. He was the most illustrious hero that my county or my State furnished to the country in the late memorable conflict through which we have passed, and no one knows better than I that he never was properly appreciated, at home at least. But grand as his character as a hero has been proved to be there was a noble character that underlay it, and that was his private character, exhibited in the most remarkable instance and manner I have ever known of in the last moments of his noble, heroic life. It was in the humanity that animated every impulse of his heart during the long period of doubt and dismay of the terror-stricken passengers for a night and a day. Serene as he ever was seen on the calmest summer evening, thinking not at all of himself, but only of those around him, who he knew were then like himself in the jaws of death; to sustain and encourage and animate them with hope to the last, and when that had been done, the still nobler spectacle of the little boy, whose father, unmanned and paralyzed with grief, was not able even to procure the means of supporting him in the waves, he became at once attached to this little boy, who bore no relation to him other than that of an acquaintance formed during the voyage, I suppose. His determination at the last moment that he should be saved, and when told by his friends that it was of no use, that they would all be dead in a few moments, and he had better leave the little fellow to sink with the ship, what was his noble, magnanimous answer? "We must not leave the dear little fellow behind us. We must save him." That, too, at a moment when there was no prospect of saving even his own life. What does that indicate? A humanity, a kindness of heart, a gentleness of spirit which you would expect to find in one who had turned so recently from the bloody theatres of a great war, and who had exhibited this

courage under circumstances when there was much to animate and excite it in the contests which characterized it, but still more nobly and remarkably exhibited on this occasion —that gentleness of heart which constituted in my judgment the most admirable trait of his character; and I therefore come before this audience merely to express my high appreciation of Gen. Torbert on account of that exhibition of that trait of character on that occasion more than anything I could say for him as one of the distinguished heroes of the war. Yet as a champion of our country in that great conflict I must say that we had reason, and always shall have reason, to be proud of him. I am proud of him, and shall cherish his memory with grateful recollections to the last period of my life. Having said this much with regard to him, I will content myself with saying nothing further. I did not come before you to express anything more than my own appreciation of his character, my own regard and respect for him as a personal friend as well as a citizen of the State and a native of my own country, and one whose death I sincerely deplore.

Address by Gen. E. Burd Grubb

Mr. President: I could have wished, sir, when I found it was expected that I should make a few remarks that some other member of Gen. Torbert's military family could have been here who with readier tongue than I could paint our love for him; but as it has fallen to my lot, let me say what I may, if I can. He was our friend, our comrade, our commander and our hero. I see before me scattered here and there through this assembly the bronzed faces of those whom I have seen commanded by him. I have seen those faces flush at that clarion voice, that magnificent voice that we will hear no more. I would that those were here who are scattered from Maine to San Francisco, members

of his military family—men who slept with him, men who ate at his table, men who fought at his side, who could tell you better than I what a man he was to us We loved him, and he was worthy of it. A true friend, a grand companion, and a most magnificent soldier. Gentlemen of Delaware, I had the honor to belong to the troops of the State to which you loaned Torbert. His record embellishes the most golden pages of the history of that State. I belong also to this honorable company of cavalry who come here to bring back to you all that the cruel sea left on the shores of Florida. But although he has passed away, his memory he has made immortal, and that belongs to all of us, and it is the proudest reflection of my life that I can share this with you here. Nothing remains for me but to say farewell. Farewell, dear friend; farewell, most gallant commander; God rest you well!

Address by Hon. Jas. R. Lofland

Mr. Chairman: Though it may seem superfluous in me to say anything after what has been so well and so fittingly said, yet I cannot refrain from adding my tribute to the memory of my dear friend. It was my privilege to enjoy the closest relations of friendship with the deceased, and to know him intimately was to love him well. The nation has lost a hero, the State a man, and I a friend. His public career is part of the history of the country which he loved so well, and which he defended so nobly. His name is inscribed high on the scroll of fame, and the story of his deeds will be handed down from father to son, as long as freedom and patriotism shall be cherished among men. His memory will be associated in the hearts of all Delawareans with that of Kirkwood and Vaughn, and Gibson and Maxwell and Haslett, men whose deeds have made the State illustrious, and of whom we are justly proud.

His military career has been adverted to by those far more competent to speak than myself, but his chivalry and bravery and nobility were perhaps better illustrated in the last hours of the man than in his most brilliant charge on the field of battle, in that dread hour when the wild storm shrieked through the cordage of the laboring ship, when the hungry waves were leaping to engulf them, when death stared him in the face, the calm bravery of the hero, the chivalry of the true gentleman, the innate nature of the man shone conspicuous. In the words of an eye-witness, the gallant Torbert, forgetful of self, "spoke a cheery word to a man here, assisted another there, and attended the women and children everywhere."

Our friend was a hero, and his townspeople are truly and justly proud of him; proud of him in life and proud of him in death. We receive his precious remains as a sacred and honored trust, and will teach our children the story of his illustrious life and the heroism of his lamentable death. While we most deeply sympathize with his afflicted family, and mourn as for one of our own household, yet we know that the man did not live in vain, and his memory will be cherished by us, our children, and their children hereafter.

Anthem, "Cast thy burden on the Lord."

Address by Hon. George P. Fisher

Mr. President, and Friends of My Beloved and Lamented Friend: How solemnly, how beautifully, and on this occasion how mournfully and touchingly expressive are the lines of that beautiful hymn of Cowper:

"God moves in a mysterious way,
His wonders to perform:
He plants his footsteps on the sea,
And rides upon the storm."

Oh yes, to our finite vision His ways do, indeed, seem mysterious and past our finding out. We cannot now, but we may hereafter, thank God, comprehending clearly and fully why it is that we are summoned hither today to render the sorrowful tribute of our tears around the bier of one whom we all loved so well, whom none could know but to admire; of one who but a few short weeks ago, in such grand perfection of mature manhood and such sweet buoyancy of exuberant health and life and hope, bade us a kindly, cheery adieu, as he was about to set out on what he and all of us hopefully trusted would prove to be but a brief and successful business mission to a foreign land.

Alas! alas! how little did we then imagine that today, instead of greeting him with a cheering, joyous welcome home, we should be gathered here to perform for him this last sad office of respect and love.

The most dutiful of sons, the tenderest and most affectionate of husbands, the most cheery and genial of friends, the bravest of heroes, the purest of patriots, the calmest in danger and storm, the brightest in sunshine, the foremost in every deed of noble daring or of sweet beneficence, who of us all today does not deeply deplore his untimely taking off? But why, my friends, should we mourn that he is gone? Gone, aye gone, to that far off spirit land from whose bourne no traveller returns, gone to receive not ours, but angelic greetings, gone to

> "That blest home beyond the river,
> Where surges cease to roll;
> Where in all the bright forever
> Sorrow ne'er shall vex the soul."

To our short-reaching, human comprehension it is, indeed, a fearful mystery that one so strong, in robust health, so good, so brave, so universally beloved, should be so suddenly snatched from our midst in the very

prime of a noble and useful manhood, and, dazed with reverential awe, we stand and vainly wonder why it was that He who rides upon the furious tempest and rules the boisterous deep should have sped forth the fearful cyclone, with its towering and devouring mountain waves, thwart the track of the good ship *Vera Cruz* bearing on board a human freight so precious; and we wonder, too, again and again, why it should so have happened that no good Samaritan was passing along that tempest beaten coast of Florida, who might stanch the wounds and stay the ebbing tide of life in our dear friend at that supreme moment when the fiercely surging billows had buffeted and rudely dashed him, still breathing, but exhausted, on the dreary, lonely shore. Yes! yes! my friends, "God does move in a mysterious way His wonders to perform," and though in this poor mortal life of ours "blind unbelief is sure to err and scan His works in vain, "yet when we shall come to behold the King in His glory, we know that we shall be like him, and then that we shall be able clearly to read His mysterious dispensations in the bright sunlight of celestial wisdom, and fully realize that God was and is and ever will be "too wise to err, too good to be unkind." And so my dear, good friends, if our faith shall be sure and steadfast, like an anchor cast within the vale, we need not, cannot, nay, we shall not mourn as those who have no hope; for the blessed promise of our Father assures us that we shall be comforted; that we shall meet our loved, lost friend again in that far off better land where parting and sorrow shall no more be known, and where our Elder Brother will wipe away all tears from our eyes forever. Yes, we shall know him, thank God:

"When we hear the music ringing
Through yon bright celestial dome,
When sweet angel voices singing,
Gladly bid us welcome home,
To the land of ancient story,
Where the spirit knows no care,
To the realms of light and glory,—
We shall know each other there.

"Know each other! Who shall question?
Truth so grateful to the heart,
When the cords are torn and bleeding,
When all earthly hopes depart.
Christian love how pure and sacred,
Who this parting scene could bear,
Did not mercy gently whisper,
We shall know each other there,"

Oh, then! let the weary, worn and weeping partner of his bosom bear up today under this present weight of woe and sorrow! Cheer up, thou mourning mother! Courage take bereaved brother, sister, friend, and comrade, for the noble lessons of the pure and stainless life of our friend assure us that when our time shall come, and we are called to go—when we shall have passed through the dark valley of the shadow of death, fearing no evil because His rod and staff do comfort us, then we shall again behold our friend and brother, not clad with the poor frail habiliments of our mortal humanity, but we shall see him crowned with immortal life and glory, standing with outstretched arms and eager eyes in the fore front of that angelic host, there waiting to bid us a joyous, hearty welcome home.

Address by Col. A. Louden Snowden

We have assembled today from distant parts of our common country to offer the last tribute of respect to the memory of a gallant soldier and distinguished citizen, as well as to pay the last debt that love and affection owes to a dead companion.

I am aware how impossible it is for me to express in weak words the thoughts and emotions that arise in our minds and swell to our hearts for utterance. If I were to portray the character of the dead as our incentive and example to the living—if I were to tell of his services to the Nation—of that exalted patriotism, which in the midst of our doubt and disloyalty never wavered, never debated, never doubted, but was always true to the integrity and honor of his country, and the glory of the flag under which he had been educated and equipped for high services—if I were to speak of his splendid qualities as a soldier illustrated on many a battlefield of the Republic—of his unobtrusive modesty and gentleness of nature, of his high integrity, devotion to duty and love for his friends that endeared him to us all—if I were to speak of the manhood and courage which ever characterized him and which were so grandly illustrated in the last great trial of his life, when the cyclone struck the frail ship on which he voyaged on that fatal night, when the winds from the "four corners of earth and heaven," like the wild demons and lost spirits were let loose—when the mighty deep was broken up and the tempest in its majesty and might raged wild and uncontrolled over the sea—how in that supreme hour of terror, when no rescuing hand was stretched forth from about or above, and Death alone ruled master of the

scene—in that hour of agony, when most of us would have failed, how he was equal to the occasion, and by wise counsel and courageous example stimulated to duty those who could do, and by tender sympathy and encouragement upheld the faint, the weak and the despairing, inspiring their drooping hearts with his own hopeful and courageous spirit—if I were to tell you all this and a thousand fold more that might be told, yet, when I had done, I am more than conscious that my best thoughts of the departed, my truest appreciation of his character and services, and the tenderest emotions of all our hearts for our dead friend would still remain unvoiced.

The lesson of his life is full of instruction to us all, and I can add nothing to it. If we cannot comprehend, our duty is to bow before the mysterious Providence which removed him from his kindred, his friends and his country, in the full pride and power of ripened manhood.

It is a hopeful sign and it gives me pleasure to record that since his lifeless remains were washed upon our Southern coast, all honor and respect have been paid to his memory.

In this work of love and affection, the representative men of both sections have cordially united—the Blue and the Gray; the friend and the foe, enemies in the late war and his companions in arms have vied with each other in paying melancholy tribute to the memory of one whose record is, so far as I know, untarnished by a single act, in war and in peace, that would not become a soldier and a gentleman.

Our task is about ended. You have assembled here, neighbors, kinsfolk and companions-in-arms with the dead, to do him reverent honor. All that could be done

has been done to mark our sympathy, affection and love. We will leave him into your keeping in yonder quiet churchyard. There he will remain in the long last sleep that knows but one awakening, whilst we turn our faces once again toward the busy world, not forgetting the dead, but dedicating ourselves anew to the work that is before each of the living, remembering ever the lesson that his life and all lives like him teach, so far as men are individually concerned, as to the vanity of all human aspirations and all human honors.

He has been to this State what other great soldiers have been to their State—something to lean on in an hour of great peril, a strong hand to guide and direct. Such men rise up here and there in all lands; but in our country, thank God, in the time of our greatest need there were many who rose from the ranks of the people, educated at our military school and elsewhere, who illustrated in their patriotism, in their services and in their blood what American citizens can do when the honor and integrity of their country and the glory of its flag are in peril.

And now, patriot, soldier, companion, friend, brother, a long farewell! May thy sleep be sweet, and thy ashes find always about them willing hands who will see that this grave in the centuries to come shall mark with loving care the spot where a patriot and soldier sleeps.

Address by Geo. V. Massey, Esq.

Mr. Chairman: Ladies and Gentlemen: I fear that no poor words of mine can add aught that is substantial to what has been already so feelingly and delicately expressed by those who have preceeded me. There are occasions, sir, in the course of human experience, where

we are called face to face in the presence of some appalling calamity from which we recoil with a horrible contemplation, when language seems to fail in the performance of the proper office, and when silence, becoming more eloquent and potential than speech, seems only to be appropriate. Such occasion is this we now memorialize. That dread, mysterious messenger whose every visitation wrecks some human hope, blasts some happy purpose, sunders some dear relationship, and severs some sacred tie, has invaded our midst and laid his iron grasp upon one of our most distinguished citizens. He has removed from among us and the sight of familiar faces, our esteemed friend, our honored associate; and all, Mr. Chairman, that remains to us today of Gen. Alfred T. A. Torbert, are the valued memories which cling with us —are the dear impressions of his person and character, and the kindly recollection of pleasant associations which will be ever cherished by all who knew him, and cherished most by those who knew him best, as the most valued reminiscences, worthy to be treasured for all time to come in memory's storehouse.

No more in soldier fashion will he greet with lifted hand his comrades. All that was mortal of the man we have today committed to the silent tomb in the cemetery; and while another hero has gone from out the ranks of the living to join the grand army of the silent dead, nevertheless there is an immortality that lives after the mortal has departed, and we are thankful today, as we look each other in the face, as we meet in sorrow and in mourning, that our departed friend has left behind him as the richest heritage to his family as well as to his friends, a record that shall live in the pages of history, and shall be presented in the memories of his countrymen,

long years, my friends, after you and I shall have been gathered to our fathers and been forgotten.

It would seem to be now altogether unnecessary to speak in detail of the life, the character, and the public services of our distinguished and no longer present friend, after what you have heard; but it is the more so because his public services are already engrafted upon the pages of his country's history, and his private virtues are already embalmed in the hearts of his friends. Trained and educated as a soldier, his patriotism was not of that doubtful, shrinking character too often witnessed in the dark days of the Republic, and he did not hesitate to go nobly and with alacrity to his country's rescue in the hour of her peril, and bear the fatigue of privations, the dangers of a soldier's life, unflinchingly and without complaint. And when his martial life had ended and had passed into the keeping of the historian, and when he was called into another sphere and department of public service, and was connected with the diplomatic service of the Government, the same zeal, the same earnestness of purpose, the same fidelity in the discharge of duty characterized his efforts until it became proverbial that no man in the service abroad was more solicitious and attentive to the wants, and the necessities, and the comforts of the American citizens abroad than was Gen. Torbert. And it seems to me, my friends, in these days, when men are so prone to forget their public duties, or if remembering them, are so often influenced in their discharge by some motive of gain or some selfish consideration, that no higher encomium can be passed upon our departed friend, no handsomer eulogy pronounced to his memory, than to testify to the fact, which is a fact, that he never sold the truth to serve the hour. In all his rela-

tions with his neighbors and associates, our deceased friend will be peculiarly remembered for his genial, courteous, and kindly temperament and bearing, and his readiness always to lend a helping hand to those who needed his assistance, regardless of their position, their past or their present station in life. His unselfishness, his nobility of purpose, and his bravery are attested in the most eminent degree by the last act in the drama of his life. Think of the scene and its surroundings. The face of an ordinary man would have blanched with terror, and yet, my friends, in the midst of that frightful tempest, when the waves and the elements combined were howling and roaring around him, when the gallant ship, of which he was for the time the life, apparently, was being deluged by mountainous waves rolling around her, and when the creaking, straining timbers, and the falling spars alike, were present reminders of that fearful doom that so soon awaited the good ship *Vera Cruz* and all her living freight, our deceased friend, although himself then wounded, calm, cool, collected, apparently undisturbed, was engaged in encouraging that ship's company, in seeking for their safety and allaying their apprehensions, aye, in arousing them from that lethargy of despair by which they had become enshrouded. Truly, my friends, it may be said that in all the dark and doleful and dismal hours of that dreadful night, the presence of our departed friend was to that ship's company what a ray of sunlight is that breaks unexpectedly behind the blackest cloud and reveals the sun in all its glory. But I dare not, I must not omit, to refer to the last act in this wonderful drama. The martial hero contending against fearful odds, it may be, dies in the fore front of the battle at the head of his column; or some distinguished naval commander.

of whom we read in the history of the past, lashing himself in the shrouds of his ship, may set his signal for close action in the face of an overwhelming force against him, and direct it to be nailed to the masthead; or some brave father may lose his own life in endeavoring to save that of his only child; or some fond, loving, husband may risk —not only risk, but give away his life blood, it may be, to attempt the rescue of a beloved wife; and when we read of these things our hearts are stirred within us with admiration, and rightfully so. And yet, my friends, by how much greater emotion must we be aroused when we come to contemplate the gallant, unselfish, high, heroic conduct of the dead hero whose death we here memorialize. When in the fearful cyclone in the Gulf, when all hope of weathering the storm had been abandoned, when men's hearts stood still in view of what was clearly within their anticipation, when almost certain death stared that whole ship's company in the face, we see our dead hero ready to sacrifice his life, if need be, to save that of a child, to him comparatively unknown. In that act, my friends, he has erected a monument to his own memory more lasting than all the marble shafts that were ever chiseled by human architect; and he has left us a monument of faith in humanity; has left an example that shall live through all time to come and one which we shall do well to emulate. He has gone, who seems so great; gone, gone, but nothing can obscure the light which his example has left with us; and we believe him, my friends, something far advanced in state, and that he now wears a truer crown than any wreath that man can weave him.

"So speak no more of his renown,
Lay your earthly fancies down,

And in yon silent church-yard leave him;
God accept him, Christ receive him."

Hymn—"Immortal honor, endless fame."

Prayer and Benediction by Rev. J. B. Quigg

Almighty God! May these sorrowful services impress us with the brevity of time and the uncertainty of life, with the emptiness of mere worldly honor and the unsatisfactory nature of earthly things. May the bereaved and widowed heart and the aged and maternal one find comfort and hope in the Everlasting Arms. May we all love and serve Thee, and may the grace of our Lord and Saviour Jesus Christ, and the blessing of God the Father and the abiding presence and communion of the Holy Spirit be with you now, henceforth and evermore. Amen.

At a meeting of the Society of the Cavalry Corps of the Armies of the United States, convened by order of the President to take action upon the death of Major-General Alfred T. A. Torbert, it was

Resolved, that the members of this Society deeply mourn his sudden death, and extend their heartfelt sympathy to his family and friends.

Resolved, that the brilliant record of General Torbert during the late war as well as his subsequent civil career command our highest admiration and respect.

Resolved, That a committee be appointed to attend the funeral, and that a copy of these resolutions be entered upon the records of this Society and be forwarded to the familiy of the deceased.

The resolutions were unanimously adopted.

New York City, Sept. 22d, 1880.

Henry E. Davies, Jr., Vice-President, Chairman.

Chas. H. Hatch, Secretary.

Charles Treichel, Edmund Blunt, Charles H. Hatch were appointed a committee to attend the funeral, by the Chair, Sept. 22d, 1880

At the final meeting of the Executive Committee of the Torbert Obsequies, composed of representatives from the States of New York, New Jersey, Pennsylvania and Delaware, held at the Continental Hotel, in Philadelphia, on Saturday, October 30th, 1880, it was unanimously

Resolved, That the heartfelt and sincere thanks of the members of this committee, by an unanimous expression, are hereby tendered

To Frank Thomson, Esq., General Manager of the Pennsylvania Railroad Company, for his kind tender and prompt attention in placing at the disposal of the Committee special trains from New York to Philadelphia upon the day of the funeral services.

To F. Wolcott Jackson, General Superintendent of United Railroads New Jersey Division Pennsylvania Railroad, for his able co-operation and assistance.

To H. F. Kenney, Superintendent of the Philadelphia, Wilmington and Baltimore Railroad, for special train and transportation from Philadelphia to Wilmington, Delaware, with his personal attendance.

To J. B. Groom, Superintendent of the Junction and Delaware Railroads, for special transportation and trains, with his personal attendance.

To J. N. Mills, Superintendent of the Delaware Railroad, for a like co-operation.

To. Col. S. Oscar Ryder, the officers and members of the 9th Regiment National Guard, S. N. Y., for their prompt proffer of services and attendance as escort to the funeral cortege on the day of the funeral.

To Major Geo. W. McLean, officers and members of the Old Guard of New York City, for their kind attendant services as Guard of Honor at the City Hall, as well as body guard upon the day of the funeral.

To Capt. E. Burd Grubb, commanding, and members of the 1st City Troop of Philadelphia, for an escort to the remains sent to New York, a reception at Philadelphia, the use of armory and escort to the grave, at Milford, Delaware.

To Col. Dudley S. Steele, officers and members of the 4th Regiment, New Jersey National Guard, for an escort from New York City to Philadelphia.

To Col. Robert P. Dechert, officers and members of the 2d Regiment, Pennsylvania National Guard, for escort from depot through the city of Philadelphia.

To Col. Samuel A. McAllister, officers and members of the 1st Regiment, Delaware State Militia, for escort and volley firing at the interment at the grave at Milford, Delaware.

To the many kind and hospitable citizens of Milford, Delaware, who so generously opened their houses and provided for the comfort of the many visitors from adjoining States, who attended the remains of the illustrious dead to a final interment.

To Joseph F. Swords, Esq., United States Consul at Sagua la Grande, Cuba, to whose zeal, attention and unrequited services given while on leave of absence, the Committee are greatly indebted for much of the success which attended their efforts to pay proper regard to the remains of one so universally loved.

Finally, to one and all of the eminent men of military and civic life, the Grand Army of the Republic, the Cavalry Corps Association, the Army and Navy Club of New York City, George Washington Post, Grand Army of the Republic of New York, and those whose associations and titles may be unknown to this Committee. Comrades—one and all—accept our sincere thanks, for without your spontaneous co-operation the duties imposed upon your Committee would have been severe indeed, but were lightened by your kind and loving attention to the remains of a deceased comrade, whose friendship and love influenced us as well "in death as in life."

William F. Smith, Alexander S. Webb, Walter H. Gilson, E. A. Buck, George R. Blanchard,	New York.
Joseph F. Tobias, Rudolph Ellis, E. Burd Grubb, H. H. Bingham, W. W. Weigley,	Pennsylvania.
Richard Harrington, A. B. Richardson, George P. Fisher, James R. Lofland, Joseph A. Draper,	Delaware.
Robert F. Stockton, Wm. S. Stryker, Wm. E. Potter, Charles H. Winfield, Clark Fisher,	New Jersey.

OCT 68
N. MANCHESTER,
INDIANA

39353001132255

S0-DNG-690